

UMSOBOMVU MUNICIPALITY



LAND USE MANAGEMENT SCHEME

2013

SCHEME REGULATIONS

FOR

UMSOBOMVU MUNICIPALITY

**In terms of Section 36(1) of the Northern Cape
Planning and Development Act (1998)**

2013

FOREWORD

Umsobomvu Local Municipality did not have a Land Use Management Scheme, the Ordinance 15 of 1985 were applicable to the Municipality.

The Umsobomvu Local Municipality Land Use Management Scheme was compiled in accordance with the:

- Northern Cape Planning and Development Act, Act 7 of 1998
- Northern Cape Provincial Spatial Development Framework (2012)

This firm was appointed in by the Department of Rural Development and Land Reform in May 2013 for the preparation of the Umsobomvu Local Municipality LUMS.

The document consists of the following:

- Scheme Regulations
- Reference Manual
- Application Form
- Zoning Maps

We wish to thank all who contributed to and participated in the preparation of the 2013 Umsobomvu Municipality Land Use Management Scheme.

APPROVAL STATEMENT

- Approved by the Umsobomvu Municipality on: Date:
By virtue of Council Resolution: Number:

Signed: Signed:
Municipal Manager **Municipal Mayor**
- Approved by the MEC in terms of Section 42 of the Northern Cape Planning and Development Act (Act 7 of 1998):
Date:

Signed:
MEC Department of Cooperative Governance, Human Settlements and Traditional Affairs.

DRAFTING TEAM



CLIENT:
Umsobomvu Municipality



FUNDING AGENT:
Rural Development and Land Reform
Mr G De Bruin



SUPPORTING FUNCTION:
Co-Operative Governance, Human Settlements & Traditional Affairs Northern Cape



CONSULTANTS:
MVD Kalahari Town and Regional Planners
Mr JP Lubbe
Mr N Haarhoff

SUPPORTING CONSULTANT:
Mr H Marais

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SCHEME REGULATIONS FOR UMSOBOMVU MUNICIPAL AREA

In terms of Section 36(1) of the Northern Cape Planning and Development Act (1998)

INTRODUCTION

These regulations were compiled to comply with the requirements for land use control, as required and prescribed in terms of Section 36 (1) of the Northern Cape Planning and Development Act (1998) for the total management area of the UMSOBOMVU Municipality. The general objective of these regulations and accompanying zoning scheme is to determine the rights of use of all land within the boundaries of the area, and for control over the execution of these rights and the utilization of this land.

ARRANGEMENT OF THESE SCHEME REGULATIONS

Part 1	Definitions:	to give an explanation of the meaning of words in the regulations with the purpose of eliminating misunderstandings, and to ensure that all concerned parties attach the same meaning to words and regulations.
Part 2	Land use control:	is a paraphrase of the application of the regulations and involves the general principal of the primary rights of use, secondary uses and the process of the alteration of these rights.
Part 3	Planning control:	discuss each individual zone (land use right) in terms of all relevant control measures within the specific zone.
Part 4	General regulations:	concerns various aspects of detail in terms of certain general matters applicable to more than one zone

PART 1: DEFINITIONS

In this regulation, unless the context otherwise indicates,

A "**adult entertainment**" means an enterprise or commercial business that mainly supplies adult entertainment, in trade or selling of articles, and includes enterprises such as escort agencies, sex shops and any other enterprises or shops where persons under the age of 18 are not allowed, but does not include a casino, gambling house, tavern or bottle store;

"**agricultural industry**" means an industry or enterprise for the processing of agricultural products on a farming unit, as a result of such agricultural products nature, perishability and fragility and includes, amongst others, wine cellars and pack-stores but excludes any form of abattoir;

"**agriculture**" means the cultivation of crops and plants and/or the breeding of animals, as well as the operation of a game farm on an extensive basis on natural land or veld, stock- or auction pens and at most one residential house and other buildings, and it includes residential units for bona fide labourers, which are reasonably connected with the main agricultural activity on the farm;

"**animal clinic**" means a site and/or building where animals/birds receive medical treatment but may not stay overnight;

"**animal hospital**" means a site and/or building where animals/birds receive medical treatment and can stay overnight if necessary;

"**authority use**" means a usage practiced by a local government and of which the extent thereof is of such nature that it cannot be classified or defined under another usage in these regulations, for example fire-brigade services, vehicle test centre or any services installation, such as power stations, sewerage works, refuse dump sites, reservoirs, substations, etc.;

B "**basement**" means that portion of a building of which the finished floor level is at least 2m below a height halfway between the highest and lowest natural ground levels immediately next to the building;

"**boarding-house**" means a dwelling or building where most of the facilities are shared and used for long term accommodation and of which at most 10 beds are leased, provided that a dwelling of which two rooms or six beds are leased, is not regarded as a boarding-house;

"**bottle store**" means any shop or portion thereof in which alcoholic beverages are sold in the retail trade, and includes an off-sales facility which is under the same management as a licensed hotel;

"**building**" means any structure or erection whatsoever, irrespective of its nature or size, and it also includes windmills, radio masts and dish- or any other antennae;

"**building line**" means the line that indicates the distance from a boundary of a land unit within which no building or other structure, except a boundary fence, may be erected, provided that no boundary fence, erected within the street building line area, shall exceed a height of 1,8m;

"**business premises**" means a site and/or building or part thereof used or intended to be used as shops and/or offices and it includes hotels, restaurants, dry-cleaners, financial institutions, professional offices, places of assembly, doctors consulting rooms, stock or product exchanges, put-put course, flats above ground floor and buildings for similar uses, but it excludes bottle stores, taverns, places of entertainment, a casino, adult entertainment, institutional buildings, funeral parlours, public garages, service stations, repairing or related replacing functions, industrial buildings, offensive industries, heavy vehicle overnight facilities or any wholesale business;

C "**camping area**" means an area which is laid out/planned in an informal way for day camping and/or accommodation of caravans and/or tents on clearly indicated sites or stands, but not intended for mobile homes;

"**caravan**" means any vehicle permanently fitted out for use by people for living and sleeping purposes,

whether or not such vehicle is towed or self driven, but it does not include a mobile home;

"caretaker's quarters" means an additional approved building that is secondary to a building or practice in the industrial zones, and in such further zones on which the Council may decide from case to case, and which may only be erected after or at the same time as the establishment of the primary activity for the accommodation of a caretaker, who works on the premises, and his/her family;

"carport" means a building that is open on at least two of the four sides that are not closed by a wall and which satisfies the definitions in clause 4.15;

"casino" means any institution, place or enterprise, irrespective of whether it is licensed for this purpose, where any form of gambling, cards or other game is played with the purpose of determining the profit or loss of money, other property or credit;

"cemetery" means a place where people are buried;

"communal area" means land intended to be under the communal right of ownership and for the communal use of the owners of group erven in a group site (or sites), and may include private streets that provide access to all group erven or certain group erven;

"conservation area" means a premise or area indicated in this scheme to be used by Council, a person or an institution, exclusively for the conservation of the natural environment, land, historical buildings, fauna and/or flora and may include tourist facilities and housing that forms an integral part;

"Council" means the Council of the UMSOBOMVU Municipality;

"coverage area" means the total area, expressed as a percentage of the area of a site, that may be covered by buildings measured over the outside walls and covered by a roof or projection, provided that the area covered by maximum eaves of 1m is excluded in the calculation of the maximum permitted coverage, provided that uncovered verandas, boundary walls and covered parking areas are included in coverage area;

"crèche" means a building/premise where six to 20 pre-school children are cared for / taken care of, but may not stay overnight;

"crematorium" means a building where corpses are cremated;

D **"drive-in restaurant"** means any land or buildings used for a restaurant or café from which food and refreshments are served to patrons who remain seated in motor cars parked in the vicinity of such restaurant or café;

"dwelling" see definition of **residential house**;

E **"erect"** has a corresponding meaning to erection;

"erection" means with regard to a building -

- a) the erection, alteration, subdivision or converting of, or addition to a building, and
- b) the re-erection or repairing of a building that was wholly or partly destroyed or demolished;

F **"family"** means a parental couple or a single parent with or without own offspring or legally adopted or foster children, that do not have such family relations or legal linkage with the parent or parents;

"farm stall" means a building and/or structure of at most 100m² and where a farmer can sell produce to his own employees or to the general public;

"financial institution" means any enterprise that renders mainly financial services to clients and includes banks and home-loan enterprises;

"flat" means a residential unit which:

- a) is part of a building containing two or more residential units, or

b) is intended for the use of the caretaker of a non-residential building;

"flats" means a building containing more than one residential unit;

"floor area" with regard to any building or structure, means the total area of all the storeys of all buildings covered by a roof, slab or projection, excluding a projection not exceeding 1m over an exterior wall if such a wall exists, provided that the area covered by a canopy or projection on the street side of a business building in the business zone and the local business zone shall not be regarded as floor area. Floor area shall be measured from the outside surface of the walls of the building, and where a building consists of more than one storey, the "total floor area" shall be the sum of the floor area of all the storeys, including the basement, balconies, terraces, corridors, verandas or steps, irrespective if it is covered by a roof, slab or other covering;

"funeral parlour" means a building where corpses are stored prior to burial or cremation;

G **"government use"** means a building or site for government use of which the extent thereof is such that it cannot be classified or defined under other uses in these regulations and includes uses practiced by the State, such as military training centres and installations, telecommunication facilities, police stations and prisons; or by the Provincial or District authority, such as road stations and road camps or any other parastatals such as Eskom, Telkom, etc.;

"gross parking area" means the area of one parking bay plus a portion of the circulation space for such a parking bay;

"ground floor" means the lowest floor of a building which is not a basement;

"group erf" means a portion of land in a group site which is approved for the erection of a single dwelling as part of a group housing scheme;

"group housing" means a group of separate and/or connected individual residential units which were planned, designed and built as a harmonious architectural entity with a medium density character and with units that may vary between single and double storeys and of which each has a ground floor, whether such units are cadastrally divided or not;

"group site" means a piece of land that can be subdivided into a number of group erven with or without public or private street and/or open space;

"guest house (Residential)" means a house or building where the majority of facilities are shared and where at most 2 rooms are leased on a short-term basis.

"guest house (Commercial)" means a house or building where the majority of facilities are shared and where at the most 16 rooms are leased on a short term basis.

H **"heavy vehicle overnight facilities"** means land and/or buildings used for parking of heavy vehicles and/or where the drivers of such vehicles can overnight and includes all functions as described in "public garage";

"holiday accommodation" means a harmoniously designed and built holiday development, belonging to one owner, with an informal layout of which the individual units are only marketed by means of renting to travellers and holiday-makers for short-term residence, and may include a guest house, a restaurant, a café, camping site, caravan park, conference facilities, small chapel, holiday flats or built units, but does not include private mobile homes, a hotel or motel;

"Holiday housing" means a harmoniously designed and built holiday development with an informal clustered layout which can include the provision of a camping site, mobile homes or dwelling units, where the housing can be rented out or can be separately alienated by means of time sharing, sectional title division, the selling of block shares or the subdivision of the property on condition that a home owner's association be established, but does not include a hotel or motel.

"holiday flat" means a flat used only for holiday purposes, as apposed to permanent occupation;

"homeowners association" means an association as intended by Section 53 of the Act;

"hotel" means a building designed to comply with the requirements of a hotel, but does not include linked or separate buildings or premises for off-sale facilities;

I **"industry"** means a building or practice, whether it concurs with the definition of a factory as described in the Occupational Health and Safety Act, 1993 (Act 85 of 1993) or not, which is used in any trade for the manufacturing, assembling, processing, repairing or dumping of a product or part of a product, the storage of a product or raw material, the repairing, assembling or dismantling of vehicles, printing, the manufacturing of gas and any related office, caretakers quarters, or any building of which the use is secondary to, and that may generally be secondary to or reasonably necessary with regard to the use of such trade on the same site, provided that buildings where food and liquor are essentially prepared for consumption on the premise, are not included;

"informal dwellings" means a housing unit that does not comply with the standards of durability, as envisaged by the National Building Regulations, as are applicable in the Council's jurisdiction;

"institution" means a building or part thereof which is used or intended to be used as a charity, health or welfare institution and/or for the administration thereof, and includes community facilities, place of assembly, a hospital, a pharmacy linked to a hospital, clinic or reformatory, either private or public, but does not include a prison or place of detention;

L **"land"** means land with or without improvements and includes land covered with water and any right in or over land. Any references to land are restricted to land within the management area of UMSOBOMVU Municipality;

"land unit" means any erf, plot or other portion of land that is registered or can be registered in a deeds registry and may include a servitude right or lease contract;

"land use restriction" means a restriction, in terms of a zoning, on the extent of the improvement of land;

"land use right" means the right to utilise and/or improve land in concurrence with the zoning thereof or any departure;

"licensed hotel" means a building designed to provide mainly short-term accommodation to visitors and includes an off-sales facility for liquor;

"linked" in relation to the definition of "group housing", means to be connected by means of a communal wall and/or garage;

M **"main roads"** means provincial and regional roads proclaimed in terms of the Roads Ordinance;

"minor roads" means regional and local roads proclaimed in terms of the Roads Ordinance;

"map" means the map on which the various zones that are currently valid and provided for in these regulations are visually demarcated, and "zoning map" has a corresponding meaning;

"mobile home" means a factory-assembled structure, approved by the Provincial Legislator, and with the necessary service connections, which can be moved on the site and designed in such a way that it can be used as a permanent home, but does definitely not include any extensions constructed with building materials;

"motor vehicle" means a vehicle designed or intended for propulsion by other than human or animal power, and includes a motor cycle and a trailer or caravan, but does not include a vehicle moving exclusively on rails;

N **"national roads"** means roads proclaimed in terms of the National Roads Act;

"natural ground level" means the natural ground level as indicated on a contour plan before any ground construction works or landscaping took place;

"**net plot area**" means the full area of a plot, excluding all land zoned for public purposes;

"**nursery**" means a place where plants are cultivated and/or sold to the public;

O "**occupant**" means any person who physically inhabits a building, structure or land on a permanent base;

"**occupational practice**" means the practicing of an occupation or trade, **subject to the provisions of clause 4.8.2**, practiced by at most one person per residential unit and/or outbuilding of which that person is the occupant, without disturbances such as noise, traffic congestion, air pollution, the congregation of people, excessive traffic generation or lowering of aesthetics being caused; provided that at most two assistants may be employed and that two persons that are legally married (including persons that live together according to common-law, or persons that are regarded man and wife in terms of religious beliefs) and reside in the same unit, may each practice their occupations subject to the relevant restrictions;

"**offensive industry**" means any building or premise or portion thereof, designed or used for any known potentially offensive, damaging or repulsive activity, or the usage or storage of such a substance which is a nuisance or can cause a nuisance, and, without limiting the generality of aforementioned, include the following: any chemical works, distillery, brewery, manure or chemical manure works, treatment of bones, horns or hooves, processing or storage of hides or skins other than in dry conditions, abattoirs, stone crushing, any treatment or manufacturing of cement, a premise for the storage, sorting or any other activity in any form concerning refuse, sewerage or night-soil, oil or other petroleum processing or any other usage which the Council may regard as an "offensive industry";

"**outbuilding**" means an additional and approved single storey structure, either attached to or separate from the main unit, but does not include a kitchen, and designed to be normally used for the housing of a bona fide servant who works on the erf, for the parking of motor vehicles and for storage purposes, in so far as these uses are usually and reasonably required in connection with the main structure, but does not include a second residential unit;

"**owner**", in relation to land or a building includes:

- a) any person in whose name the land in question is registered in a deeds registry,
- b) the holder of a registered right or lease or any successor in title of such a person,
- c) any registered tenant, or
- d) for the purpose of processing of any application, the written assignee of the owner (letter of authority must be handed to the Council);

P "**parking area**" means a site that accommodates more than one parking bay and normally includes holding areas as well as ablution facilities;

"**parking bay**" means a site with a minimum area of 5,5m by 2,5m that is clearly outlined and marked out for the parking of one motor vehicle, as well as any such areas that are needed for circulation and landscaping, and are accessible to Council's satisfaction;

"**place of assembly**" means a public hall, a town hall or community hall for social functions, music hall, concert hall or exhibition hall which is not directly related to a commercial undertaking;

"**place of entertainment**" means any building or site where people assemble for entertainment or social relaxation or sport purposes and where an entry fee is usually imposed, and includes a theatre, bioscope, dance hall, amusement park, sport centre, billiard-room, skating rink, a public or private sport-club facility and restaurant where entertainment is provided, but does not include any building or site for a casino or adult entertainment;

"**place of instruction**" means a school, college, technical institute, academy, university, lecture hall or other centre of instruction, and includes a hostel appertaining thereto, and a convent, public library, art gallery, museum, gymnasium and crèche, but does not include a building used or intended to be used wholly or primarily as a certified reformatory or industrial school or as a school for the mentally handicapped;

"**primary use**" means a land use that is permitted, as contemplated in clause 2.7, that may be executed

by the owner of any land without any consent;

"private open space" means any land which has been set aside in this scheme for use as a private site for sport, playing, rest and recreation facilities or as an ornamental garden or pleasure-garden, provided that the land is under the long-term management of a private person or authority, and also a cemetery or show grounds, whether public or private;

"professional offices" means such types of uses as that is normally and reasonably associated with the concept "professional" e.g. doctors, dentists, architects, engineers, etc. where the rendering of services, in contrast with carrying on a business, is one of the distinguishing factors;

"public garage" means a commercial business or concern where motor vehicles are provided with fuel for payment or reward and includes trading in motor vehicles, oil, tyres or motor spares, the repair or overhaul of motor vehicles, a restaurant or café, spray-painting, panel beating, body and blacksmith work, but does not include heavy vehicle overnight facilities;

"public open space" and/or **"public place"** means any land which falls under, or is intended to come under the ownership of the local authority, which is not leased or intended to be leased on a long-term basis, and which is utilised by the public as an open space, park, garden, picnic site, square, playground or recreational site, whether it appears on an approved general plan or not;

"public parking" means land or a building or part thereof that is accessible to the general public for parking purposes;

"public place of worship" means a church, synagogue, mosque, temple, chapel or other place for practicing religion. This includes any building in connection therewith, for instance a hall, Sunday school classes, madressa or parsonage, but does not include funeral parlours including chapels forming part of such funeral parlours;

"public service installations" means any external or internal service installation that needs land area or any other infra-structural land use such as power stations, sewage disposal works, reservoirs, substations, etc;

"public street" means any land indicated on a plan or diagram or is specified within this zoning scheme, reserved for street purposes and where the ownership as such vests in a competent authority and includes facilities for public transport;

"put-put course" means any land or buildings used as extramural miniature golf course;

R "racecourse" means a site or structure used mainly for races or practicing for any form of races, and include vehicle racecourses, motor-cycle racecourses, horse racecourses and any other similar uses;

"rail transport" means land used for rail transport purposes and includes the rail reserves, the station and any uses directly connected to the rail transport service;

"rear boundary" of a site or plot means every one of its boundaries (street boundary excluded) that is parallel or within 45 degrees of parallel to every street boundary of such premises or plot and does not join a street boundary; .

"register" means documents held by a local authority in connection with all concerned zonings, departures, concessions and restrictions and includes a record of all

- a) departures from the town planning conditions,
- b) rezoning conditions that influence the land use right of any land unit, and
- c) concessions approved by Council;

"regulations" means the written supplement to the map in terms of which town planning control should be practiced and it refers to this document;

"renewable energy structures" any wind turbine or solar voltaic apparatus, or grouping thereof, which captures and converts wind or solar radiation into energy for commercial gain irrespective of whether it feeds onto an electrical grid or not;

"residential building" means a building consisting of one or more residential units (excluding a group house, residential house or second residential unit) for human habitation, together with the outbuildings used therewith, and it includes boarding-houses, flats, hotels (without off-sales facility), residential clubs, old aged homes, children's homes and hostels, but excludes buildings that are defined as "place of education" or "institution";

"residential house" means a building containing only one residential unit - a self-contained interlinking group of rooms for the accommodation and housing of a single family, or a maximum of six persons who do not satisfy the definition of a "family", together with such outbuildings as are ordinarily used therewith.;

"residential unit" means a self-contained interlinking group of rooms for the accommodation and housing of a single family only, or a maximum of six persons who do not satisfy the definition of a "family", together with such outbuildings as are ordinarily used therewith;

"restaurant" means an enterprise or place that mainly prepares food and refreshments on the site which is served to clients who consume it on the site, and where alcoholic beverages are only served with meals, but does not include a tavern;

"retirement centre" means a group of separate and/or connected individual residential units or rooms with communal amenities that is planned, designed and built as an entity to accommodate and/or care for old people;

"riding school" means the place or enterprise for hiring out horses for payment and it also includes the care and stabling of such horses;

S **"scrap-yard"** means a building or land used for one or more of the following purposes:

- a) the storing, depositing, or collecting of junk or scrap material or articles of which the value depends entirely or partially on the material out of which they are manufactured,
- b) the dismantling of second-hand vehicles or machines with the aim to recover components or material;

"secondary use" means a land use that may be permitted with the consent of Council, as contemplated in clauses 2.7 and 2.8;

"second residential unit" means a secondary, completely self-contained residential unit which is erected or adapted on a site on which there already exists a residential unit, and which is used for the accommodation of a second family on the site or a maximum of four persons who do not satisfy the definition of a "family";

"service industry" means a commercial business or concern mainly geared for service to the public and involves the replacing of car tyres, exhaust systems, shock absorbers, the fitting of car radios and similar practices, bakeries, small dry-cleaners, carwash services, carpet wash services, dressmaking, framing, printing and all other similar workshops or enterprises, at the discretion of Council, but does not involve any trade that resorts under the definition of industry, service station, garage, offensive trade or business, unless listed above;

"service station" means a business or concern where the sale of motor vehicles, oil, tyres and motor spares are traded in and includes a business where motor vehicles are provided with fuel for payment. A restaurant, a café, as well as the repair and overhaul of motor vehicles, but excludes spray-painting, panel beating, body and blacksmith work and heavy vehicle overnight facilities;

"shop" means a site and/or building and/or structure used for carrying on a retail concern and may include a launderette, offices, nursery, restaurant, a dry-cleaner, flats above ground floor and a retail concern where goods sold are manufactured and/or repaired in such a concern, provided that the floor area relating to such manufacture and/or repair shall not exceed one third of the floor area of the shop, but it does not include any industries, public garages, service stations, taverns, supermarkets (with or without the selling of wine) or bottle stores;

"side boundary" means a boundary of a site or erf which is not also a street boundary or rear boundary;

"special uses" means a use which is such, or of which the land use restrictions are such that it is not catered for in these regulations, and of which the uses and land use parameters are fully described by means of the conditions as contained in the special zone;

"sports grounds" means land which is utilized for the practicing of outdoor and indoor sport and includes only improvements ancillary to the practicing of such sport;

"storey" means a single floor of a building, including a basement, which does not exceed a height of 4m, measured from finished floor level to finished floor level or to the ceiling in the case of the top storey;

"street boundary" means the common boundary of a site or land unit and a street, provided that where a portion of a site or land unit is reserved in terms of the zoning scheme or any other act for the purpose of a new street or street broadening, the street boundary of the site or land unit is the boundary of such proposed new street or proposed street broadening;

"street building line" in connection with a land unit, means a building line applicable on a setback or, where no setback is applicable, in connection with a common boundary between the concerned land unit and any adjoining street;

"supermarket" means a retail business with a retail floor area of not less than 350m², utilized for the sale of goods mainly consisting of food, toiletries, and other household goods on a basis of self-service;

T **"tavern"** means a building in which the on-site consumption of liquor has been legalised by means of a liquor license, issued in terms of section 20 of the Liquor Act, 1989 (Act 27 of 1989) or by means of the Sorghum Beer Act, 1962 (Act 63 of 1962) and where titbits are also served;

"the Act" means the Northern Cape Planning and Development Act (1998) and/or any other Act or Ordinance that may follow or replace this Act;

"to serve a notice/notification" means a notice, as the example included in "Procedures for Application", by the applicant to each land owner who has an interest or who may have an interest in the matter, according to the opinion of the Designated Officer, and whose address is recorded with Council:

- a) specifying the place where and the hours during which particulars of the matter will be available for inspection,
- b) stating that objections may be lodged with a person specified in the notice before a date likewise specified, being not less than 21 days after the date on which the notice is so published, and

to give proof of service to Council with the application;

"tourist facilities" means facilities created in a rural and urban area for the recreation and entertainment of tourists and may include overnight facilities;

"transport use" means a use or undertaking based on the provision of a transport service (air- and railway transport included) and includes public as well as private undertakings, but does not include courier services;

"tuck shop" means a small commercial business, not bigger than 25m², run by a member/members of the household from a part of the house or outbuilding, provided that stock shall be limited to the volume that can be accommodated in the tuck shop and no processing, subdividing or preparing of food may be done and no stock may be stored outside of the tuck shop;

U **"undertaker"** see funeral parlour;

W **"warehouse"** means a building for storage of goods as well as the running of a wholesale business in connection with such goods (including alcoholic beverages), provided that the >warehouse= excludes retail trade, and wholesalers may only sell or deliver to dealers

Z **"zone"** means a portion of land set apart on the map for a particular zoning, irrespective of whether it comprises one or more land units or a portion of a land unit;

"zoning" means a category of prescriptions which state firstly the purpose for which land may be used, and secondly the land use restrictions applicable in respect of the said land uses, as determined in these regulations;

"zoning map" means the map on which the different land use zones, as listed in Table A of these regulations, are demarcated in colour

"zoning scheme" means the scheme consisting of these regulations, the register and the zoning map.

PART 2: LAND USE MANAGEMENT

2.1 Area of zoning scheme

The area on which this scheme is applicable is the whole management area of the UMSOBOMVU Municipality, as indicated and contained in the compliant zoning plans, and includes any area that may in future become part of the municipal area.

2.2 Responsible Authority

The Council of the UMSOBOMVU Municipality is the local authority responsible for the application and execution of the stipulations of these scheme regulations.

2.3 Components of the zoning scheme

The Council's zoning scheme consists of the following components:

- a) the scheme regulations (this document),
- b) the zoning map(s),
- c) the zoning register, and
- d) procedure and requirements for applications.

2.4 Date of commencement

The zoning scheme commenced on....., which date is the same as on which the Provincial Legislature approved the scheme.

2.5 Zoning according to utilization

Notations on the zoning map are intended to indicate land use and not land ownership. Land falling under ownership of a public authority, shall only be included in the authority zones if the use thereof is such that no other zone in the table below is appropriate (see definition of "authority use" and "government use").

2.6 Zoning of land in specified use zones

The land indicated on the zoning map, as indicated in the table below, is zoned for the respective purposes mentioned in the table, and barring differently worded definitions of the Act and these regulations, may not be used for any other purpose.

2.7 Erection of buildings and utilization of land in specified use zones

The purposes, called primary uses, for which land may be utilised, without Council's consent, in the various zones, indicated in column 1 of the table below, are mentioned in column 4 of the table. The purposes, called secondary uses, for which land may only be utilised with the consent of Council or on which buildings may be erected in the various zones in column 1 of the table, are mentioned in column 5 of the table. Any use that does not appear in column 4 or 5, may, barring differently worded definitions of the Act and these regulations, not be allowed in the

relevant zone.

It should be noted that the buildings and uses allowed in terms of column 4 or 5 of the following table which may be approved with the consent of Council, may be subject to departures as determined by Council on approval, which may in effect render the rights incident to a land unit more or less limiting, as appears from the notation on the map. In such cases the relevant information with regard to the land unit should be recorded in the register that is kept up to date for this purpose.

2.8 Secondary uses

2.8.1 Application for secondary uses

Barring the stipulations of clause 2.8.3 hereof, where application is made with Council for its consent for the erection and use of a building in a zone where a building of the proposed type may only be erected and used by special permission of Council, Council may grant or refuse permission, and when it grants permission, it may make any conditions as it deems fit, regarding the erection or use of such a building. When such an application is considered, the question whether the use for which the building was intended and designed, or the proposed building, should be kept in mind, whether the proposed building will harm the amenity of the environment, including emission of smoke, fumes, dust, noise or odours.

2.8.2 Period of secondary uses

In terms of clause 2.8.1 of these regulations, Council can approve the secondary uses mentioned in column 5 of the table below for any site or portion thereof, with the relevant zoning as accordingly listed in column 1 of the table.

2.8.3 Conditions of implementation of secondary uses

Secondary uses are subject to the same restrictions and conditions as the primary uses in a specific zone, unless specifically differently indicated, in which case the differently worded restrictions specifically applicable, will enjoy preference, irrespective of being more or less restrictive.

2.9 Buildings or land units used/ applied for more than one purpose

Specific zones and use rights are mainly linked to individual land units and all buildings and structures on it. It is, however, possible that a building or land unit can be used for more than one purpose. Appropriate zonings /secondary use are allocated individually to each portion, indicated on the relevant zoning map and applied accordingly.

2.10 Procedure for application in terms of the Act and/or these regulations

All applications for rezoning, subdivision, consent or any other relevant application in terms of the Act and/or these regulations will be executed strictly according to the "Procedures of Applications" of these regulations. Verify the above statement

TABLE 1: PRIMARY AND SECONDARY USES

UMSOBOMVU SCHEME REGULATION ALIGNMENT WITH NCP SDF SPATIAL PLANNING CATEGORIES					
COLUMN 1 SPATIAL PLANNING CATEGORIES		SCHEME REGULATIONS			
		COLUMN 2 Zoning	COLUMN 3 Colour Notation	COLUMN 4 Primary Use	COLUMN 5 Secondary Uses
A Core Areas					
A.a	Statutory Conservation Areas	Open Space Zone III	Green with cross hatching	Conservation area	None
B Buffer Areas					
B.a	Non-Statutory Conservation Areas	Open Space Zone III	Green with cross hatching	Conservation area	None
B.c	Urban Green Areas	Open Space Zone I	Green	Public open Space	None
C Agricultural Areas					
C.a	Extensive Agricultural Areas	Agricultural Zone I	Light green	Agriculture	Second residential unit, Farm stalls, Nursery, Riding school, Tourist facilities, Animal hospital, Animal clinic, Guest house (commercial), Bird or animal cages
C.b	Intensive Agricultural Areas	Agricultural Zone I	Light green	Agriculture	Second residential unit, Farm stalls, Nursery, Riding school, Tourist facilities, Animal hospital, Animal clinic, Guest house (commercial), Bird or animal cages
D Urban Related Areas					
D.f	Institutional Areas				
	D.f.1 Place of Instruction	Institutional Zone I	Light blue	Place of Instruction	Place of assembly
	D.f.2 Place of Worship	Institutional Zone II	Black crosses	Public place of worship	Place of assembly
	D.f.3 Institution	Institutional Zone III	Red crosses	Institution	None
D.g	Authority Areas				

	D.g.1 Government Uses	Authority Zone I	Red	Authority use	None
	D.g.2 Municipal Uses	Authority Zone II	Red with black hatching	Government use	None
D.h	Residential Areas				
	D.h.1 Single Residential House D.h.3 Guest House	Residential Zone I	Yellow	Residential house, Guest house (Residential)	Second residential unit, Crèche, Tuck shop, Animal clinic, Bird or animal cages
	D.h.2 Group Housing	Residential Zone II	Orange	Group housing	Residential house, Crèche, Old-age home
	D.h.3 Guest House D.h.4 Flats/Residential Building	Residential Zone III	Orange with black hatching	Flats, Residential building, Guest House (commercial)	Public place of worship, Place of instruction, Guesthouse, Tuck shop, Bird or animal cages
	D.h.8 Informal Housing	Residential Zone IV	Yellow with black hatching	Informal dwelling Residential house	Public place of worship, Place of instruction, Guesthouse, Tuck shop, Bird or animal cages
D.i	Business Areas				
	D.i.1 Business Premise	Business Zone I	Blue	Business premises	Bottle store, Tavern, Institution, Place of entertainment, Service station, Drive-in restaurant, Service industry, Funeral parlour, Animal clinic, Animal hospital, Warehouse
	D.i.2 Shop	Business Zone II	Blue with black hatching	Shop	Residential house Flats
D.j	Service Related Business				
	D.j.1 Service Trade Industry	Industrial Zone I	Red-purple	Service industry, Warehouse, Service station	Public garage
	D.j.2 Service Station	Business Zone III	Blue-purple.	Service station	Public garage Restaurant
D.k	Special Business				
	D.k.1 Casino	Business Zone IV	Blue with cross hatching	Casino (Gambling House)	Place of Entertainment
	D.k.2 Adult Entertainment	Business Zone V	Blue with honeycomb hatching	Adult entertainment Bottle store Tavern	Place of Entertainment

D.n	Cemeteries	Open Space Zone II	Green with black hatching	Private open space	Racecourse
D.o	Sport fields & Infrastructure	Open Space Zone II	Green with black hatching	Private open space	Racecourse
D.p	Airport and Infrastructure	Transport Zone I	Dark grey	Transport use	None
D.q	Resorts & Tourism Related Areas	Resort Zone I	Green bushes	Holiday accommodation	Hotel, Restaurant, Place of entertainment
		Resort Zone II	Green bushes with black hatching	Holiday Housing	Hotel, Restaurant, Place of entertainment
D.r	Farmsteads & Outbuildings	Agricultural Zone I	Light green	Agriculture	Second residential unit, Farm stalls, Nursery, Riding school, Tourist facilities, Animal hospital, Animal clinic, Guest house (commercial), Bird or animal cages

E Industrial Areas

E.a	Agricultural industry	Agricultural Zone II	Light green with black hatching	Agricultural industry	Agriculture
E.c	Light industry	Industrial Zone I	Red-purple	Service industry, Warehouse, Service station	Public garage
E.d	Heavy industry	Industrial Zone II	Red-purple with black hatching	Industry, Warehouse Service station Service industry Transport use Public garage	Funeral parlour Scrap-yard
E.e	Extractive industry	Industrial Zone III	Red-purple with cross hatching	Offensive industry Crematorium Public Garage	Industry, Warehouse, Transport use, Scrap-yard

F Surface Infrastructure & Buildings

F.a - F.d	Roads (National-, Main-, Minor- and Public Roads)	Transport Zone II	Blank with black outline	Public Road	None
	F.d.1 Public Parking	Transport Zone III	Light grey with black hatching	Public Parking	None
F.e	Heavy vehicle Overnight Facilities	Transport Zone IV	Brown	Heavy vehicle overnight facilities	None
F.f	Railway lines	Transport Zone I	Dark grey	Transport use	None
F.i	Renewable Energy Structures	Special Zone	Blue-green with number	Special use	None
F.l	Sewerage Plants and Refuse Areas	Authority Zone I	Red	Authority use	None

G Other

G.a	Undetermined	Undetermined	Black Hatching	None	None
G.b	Special	Special Zone	Blue-green with number	Special use	none

2.11 Appeal against a Council resolution

Any applicant or objector with regard to any application in terms of the Act, may, if he/she believes that they are wronged by the relevant decision of Council, in terms of Section 74 of the Act, lodge an appeal against the decision with the Appeal tribunal. This appeal must, in terms of the regulations of Section 74 (1) of the Act, be handed in at the tribunal within 21 days from the date the person was notified of Council's decision. Council and the applicant or objector, depending on the case, must also receive a copy of the appeal within the prescribed time.

PART 3: PLANNING CONTROL

3.1 SPC A: CORE CONSERVATION AREA

INTRODUCTION

This zone constitutes sites of national and international conservation importance. Due to their highly irreplaceable status such areas should be protected from change and restored to their former level of ecological function. Such areas include terrestrial land, aquatic systems and marine areas.

The Northern Cape PSDF, par C4 1.1; p 95, indicates the following Sub-Categories:

- Wilderness Areas;
- Special Nature Reserves;
- National Parks;
- Nature Reserves;
- Protected Environment ;
- Forest Wilderness Areas;
- Marine Protected Areas;
- World Heritage Sites; and
- Mountain Catchment Areas.

DEVELOPMENT CONTROL PROPOSALS

- Allow NO human interference;
- Allow the natural processes to continue without human interference;
- Appropriate management systems and rules should be put in place.

3.1.1 SPC: A.a – STATUTORY CONSERVATION AREAS

Open Space Zone III

- **Indication and Permitted Uses**

Indication on map: colour - green with cross hatching.

Primary use/s: conservation area a premise or area indicated in this scheme to be used by Council, a

person or an institution, exclusively for the conservation of the natural environment, land, historical buildings,

fauna and/or flora and may include tourist facilities and housing that forms an integral part.

Secondary uses: none

- **Land Use Restrictions**

No structure shall be erected or use practiced else than those included in the definition of a “conservation area” or as specifically approved by Council.

Advertisement and publicity: all boards, signs and other forms of advertising or publicity must comply with Council’s advertising policy.

3.2 SPC B: BUFFER AREA

definition of a “conservation area “or as specifically approved by Council.

Advertisement and
publicity:

all boards, signs and other forms of advertising or publicity
must comply with Council’s advertising policy.

3.2.2 SPC: B.c – URBAN GREEN AREAS

Open Space Zone I

- **Indication and Permitted Uses**

Indication on map: colour - green.

Primary use/s: public open spaces any land which falls under, or is intended to come under the ownership of the local authority, which is not leased or intended to be leased on a long-term basis, and which is utilised by the public as an open space, park, garden, picnic site, square, playground or recreational site, whether it appears on an approved general plan or not.

Secondary uses: none

- **Land Use Restrictions**

No structure shall be erected or use practiced other than those included in the definition of a “public open space”.

3.3 SPC C: AGRICULTURAL AREAS

INTRODUCTION

The agricultural land bordering onto settlement areas experience the negative impact thereof. The protection of such agricultural land in order to secure the “food security” and sustainable development is essential.

This category focuses on the following two Sub-Areas:

Extensive agriculture

Natural vegetation used for extensive harvesting, grazing and eco-tourism.

Intensive agriculture

The intensive cultivation of crops and irrigation of land.

The Northern Cape PSDF, par C 5.1; p 106, indicates the following Sub-Categories:

- Extensive agricultural
 - Game farms
 - Stock farms
- Intensive agricultural
 - Cultivated area
 - Plantation and woodlots

DEVELOPMENT CONTROL PROPOSALS

- Avoid unacceptable degradation of the natural environment;
- Professional control and management of urban functions within perri-urban areas;
- The introduction of modern farming principles in order to secure maximum outputs on land;
- Enhance the local processing of farm products to stimulate local industry;
- Control the development of agricultural industry;
- Promotion of land rehabilitation and conservation.

3.3.1 SPC: C.a – EXTENSIVE AGRICULTURAL AREAS

Agricultural Zone I

3.3.1.1 Indication and Permitted Uses

Indication on map:	colour	- light green.
Primary use's:	agriculture	the cultivation of crops and plants and/or the breeding of animals, the running of a game farm on an extensive scale on natural veld or land, stock- or auction pens and at most one residential house and other buildings, including residential units for bona-fide workers, which are reasonably relevant to the main agricultural activity on the farm.
Secondary uses:	second residential unit	means a secondary, completely self-contained residential unit which is erected or adapted on a site on which there already exists a residential unit, and which is used for the accommodation of a second family on the site or a maximum of four persons who do not satisfy the definition of a "family".
	farm stall	a building and/or structure which covers an area not exceeding 100m ² and where a farmer can sell his produce, either to his employees or to the general public.
	nursery	where plants are grown and/or sold to the public.
	riding school	the place or enterprise for hiring out horses for payment and includes the caring for and stabling of such horses.
	tourist facilities	facilities created in a rural area for the recreation and entertainment of tourists and may include overnight facilities.
	animal clinic	a site and/or building where animals/birds receive medical treatment but may not stay overnight.
	animal hospital	a site and/or building where animals/birds receive medical treatment and can stay overnight if necessary.

commercial
guest house

a dwelling or building where the majority of facilities are shared and where at most 16 rooms are leased on a short-term basis.

bird or animal cages

3.3.1.2 Land Use Restrictions

Height: at most 12m above the natural ground level directly beneath any particular point or portion of the building.

Building lines: the street is 4,5m, rear- and side building lines are 3,0m for the primary residential house. No building or part thereof, with the exception of the primary residential house and farm stalls, boundary walls or boundary fences, may, where the premise borders another premise with a different zoning, be erected closer than 30m from the said boundary of the premise and these building lines are 5m where the premise borders another premise also zoned as "Agricultural zone I".

In rural areas any building line as specified by any Road Authority shall be applicable.

Advertisements and
publicity:

all boards, signs and other forms of advertising or publicity must comply with Council's advertising policy.

3.3.1.3 Further Restrictions Applicable to Specific Uses in these Zones

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

(i) Second residential units

Floor area: at most 60% of the primary dwelling on the premise.

Other: Residential units for bona fide labourers, in applying these regulations, are not regarded as second residential units.

(ii) Farm stalls

Building lines: 4,5m from any street reserve boundary and 10m from all other boundaries.
In rural areas any building line as specified by any Road Authority shall be applicable.

Floor area: at most 100m².

(iii) Commercial Guest houses/Boarding-houses

Over and above the stipulations of Clauses 3.3.1.2 and 3.3.1.3, the following regulations shall apply when Council considers this secondary use:

- a) Up to and including 2 rooms may be let under clause 4.8 of these regulations, without applying for secondary or rezoning, but subject thereto that Council formally be informed by means of completion of an application form.
- b) Persons letting between 2 rooms and 16 rooms shall have to apply for the concerned secondary use. In considering such an application, special attention regarding the capacity of the existing services and the comment of the neighbours shall be given, whilst the under-mentioned preconditions shall have to be complied with.
- c) Persons letting more than 16 rooms shall have to apply for rezoning to "Residential III", restricted to boarding-house and guest house with more than 16 rooms.

Preconditions for the considering of an application in accordance with (a), (b) or (c) supra, are:

- i) The correct application procedure, including the necessary advertisement for (b) and (c), shall be followed.
- ii) All building and other regulations shall strictly be complied with. No relaxation of building lines or maximum coverage shall thus be allowed.
- iii) The Engineering department must be convinced of the fact that the service network shall be able to carry the load in a sustainable manner.
- iv) Buildings plans for the concerned buildings or part thereof must be submitted with the application.
- v) Proof of separate facilities for guests must also be submitted.
- vi) Proof that parking for 1 vehicle per room can be supplied on the premise, must accompany the application.
- vii) food is commercially prepared/sold on the premise, the person shall have to register for the preparing and serving of food at Council.
- viii) In the case of 3.1.1.3 (iii), (a) and (b) it is compulsory that the owner reside in the primary residence.

Compliance with these requirements whilst submitting an application does not at all guarantee the approval thereof. These are only preconditions for the consideration of an application.

3.3.2 SPC: C.b – INTENSIVE AGRICULTURAL AREAS

Agricultural Zone I

- See par. 3.3.1

3.4 SPC D: URBAN AREAS

INTRODUCTION

The settlement areas are a result of the man-made environment where people live together. In order to secure sustainable settlement areas, land use planning structures need to be put in place. Hereby land uses would be positioned and managed in harmony with each other. Urban sprawl needs to be prevented and modern town planning principles adopted.

The northern Cape PSDF, par C6 1.1; p 122, indicates the following Sub-Categories:

- Town settlement areas (main-, local-, town-, rural-, tribal- and communal- settlements);
- Institutional areas;
- Authority areas;
- Residential areas;
- Business areas;
- Service related business;
- Special business;
- SMME incubators;
- Mixed use development areas;
- Cemeteries;
- Sport field and infrastructure;
- Airport and infrastructure;
- Tourism and resorts;
- Farmstead and outbuildings.

DEVELOPMENT CONTROL PROPOSALS

- Develop sustainable settlements to secure the well-being of residents;
- Introduce integrated planning principles;
- Apply densification policies;
- Place priority on the accessibility of facilities;
- Protect the aesthetic qualities of towns (Establish an aesthetic committee);
- Plan for interaction between rural and urban land use areas;
- Introduce land use classification and zones to manage urban growth.

3.4.1 SPC: D.f - INSTITUTIONAL AREAS

3.4.1.1 SPC: D.f.1 - Institutional Zone I

- **Indication and Permitted Uses**

Indication on map:	colour	-light blue.
Primary use/s:	place of instruction	a school, college, technical institute, academy, university, lecture hall or other centre of instruction, and includes a hostel appertaining thereto, and a convent, public library, art gallery, museum, gymnasium and crèche, but does not include a building used or intended to be used wholly or primarily as a certified reformatory or industrial school or as a school for the mentally handicapped.
Secondary Uses:	place of assembly	public hall, a town hall or community hall for social functions, music hall, concert hall or exhibition hall which is not directly related to a commercial undertaking.

- **Land Use Restrictions**

Coverage:	at most 50%
Building lines:	8m on all boundaries
Parking:	as determined by Council (e.g. 2 parking bays per classroom)
Advertisement and publicity:	all boards, signs and other forms of advertising or publicity must comply with Council's advertising policy

- **Further Restrictions Applicable on Specific Uses in this Zone**

No additional restrictions or exclusions.

3.4.1.2 SPC: D.f.2 - Institutional Zone II

- **Indication and Permitted Uses**

Indication on map:	colour	- black crosses.
Primary use/s:	public place of worship	a church, synagogue, mosque, temple, chapel or other place for practicing

religion. It also includes any building in connection therewith, for instance a hall, Sunday school classes, madrassa or parsonage, but does not include funeral parlours, including chapels forming part of such parlours.

Secondary Uses: place of assembly public hall, a town hall or community hall for social functions, music hall, concert hall or exhibition hall which is not directly related to a commercial undertaking.

• **Land Use Restrictions**

Coverage: at most 60%.

Height: at most two storeys, provided that any storey shall not be limited to 4m and church towers shall not be considered as part of a storey in this case.

Building lines: 6m on all boundaries with regard to all buildings except a parsonage, which shall be subject to the same building lines as applicable to the Residential zone I.

Parking: on-site parking must be provided at a minimum requirement of one parking bay for every 20 seats provided in all buildings on the site, excluding the parsonage or to the satisfaction of Council.

Advertisement and publicity: all boards, signs and other forms of publicity must comply with Council's advertising policy.

• **Further Restrictions Applicable on Specific Uses in this Zone**

Notwithstanding the preceding land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

Parsonage (as included in the definition of a public place of worship)

Building lines: the building lines as applicable to the Residential zone I (see par.3.4.3.1) shall be applicable to the parsonage.

3.4.1.3 SPC: D.f.3 - Institutional Zone III

• **Indication and Permitted Uses**

Indication on map: colour - red crosses.

Primary use/s: institution means a building or part thereof which

is used or intended to be used as a charity, health or welfare institution and/or for the administration thereof, and includes community facilities, place of assembly, a hospital, a pharmacy linked to a hospital, clinic or reformatory, either private or public, but does not include a prison or place of detention.

Secondary Uses: none

• **Land Use Restrictions**

Coverage: at most 60%.

Building lines: 6m on all boundaries.

Parking: 1 parking space for each residential unit (flats), or in the case of other residential buildings, 1 for every 2 bedrooms. The parking spaces must be undercover and be indicated on the building plans.

Advertisement and publicity: all boards, signs and other forms of advertising or publicity must comply with Council’s advertising policy.

• **Further Restrictions Applicable on Specific Uses in this Zone**

No further restrictions or exclusions.

3.4.2 SPC: D.g - AUTHORITY AREAS

3.4.2.1 SPC: D.g.1 - Authority Zone I

• **Indication and Permitted Uses**

Indication on map: colour - red.

Primary use/s: authority use a usage practiced by a local government and of which the extent thereof is of such nature that it cannot be classified or defined under another usage in these regulations, for example fire-brigade services, vehicle test centre or any services installation, such as power stations, sewerage works, refuse dump sites, reservoirs, substations, etc.;

Secondary uses: none

- **Land Use Restrictions**

The land use restrictions and additional provisions relevant to this zone are applicable as for each site or use or type of building approved by the Provincial Government, or, if authorised thereto by the Provincial Government, the Council.

3.4.2.2 SPC: D.g.2 - Authority Zone II

- **Indication and Permitted Uses**

Indication on map: colour - red with black hatching.

Primary use/s: government use a building or site for government use of which the extent thereof is such that it cannot be classified or defined under other uses in these regulations and includes uses practiced by the State, such as military training centres and installations, telecommunication facilities, police stations and prisons; or by the Provincial or District authority, such as road stations and road camps or any other Parastatals such as Eskom, Telkom, etc.

Secondary uses: none

- **Land Use Restrictions**

The land use restrictions and additional provisions relevant to this zone are applicable as for each site or use or type of building approved by the Provincial Government, or, if authorised thereto by the Provincial Government, the Council.

Advertisement and publicity: all boards, signs and other forms of advertising or publicity must comply with Council's advertising policy.

3.4.3 SPC: D.h - RESIDENTIAL AREAS

3.4.3.1 SPC: D.h.1 - Residential Zone I

- **Indication and Permitted Uses**

Indication on map:	colour	- yellow.
Primary use/s:	residential house	a building consisting of only one residential unit - a self-contained interlinking group of rooms for the accommodation and housing of a single family, or a maximum of four persons who do not satisfy the definition of a "family", together with such outbuildings as are ordinarily used therewith.
Guest house (residential):		means a house or building where the majority of facilities are shared and where at most 2 rooms are leased on a short-term basis.
Secondary uses:	second residential unit:	means a secondary, completely self-contained residential unit which is erected or adapted on a site on which there already exists a residential unit, and which is used for the accommodation of a second family on the site or a maximum of six persons who do not satisfy the definition of a "family".
	crèche	a building/site where between 6 and 20 pre-school children are cared for/taken care of but may not stay overnight.
	animal clinic	a site and/or building where animals/birds receive medical treatment but may not stay overnight.
	tuck shop	a small commercial business, not bigger than 25m ² , run by a member/members of the household from a part of the house or outbuilding, provided that stock shall be limited to the volume that can be accommodated in the tuck shop and no processing, subdividing or preparing of food may be done and no stock may be stored outside of the tuck shop
	bird or animal cages	

- **Land Use Restrictions**

Coverage: erven smaller than 600m² - maximum 75%
erven 600m² and larger – maximum 50%

Height: at most 8m above the natural ground level directly beneath any particular point or portion of the building (see clause 4.16).

Building lines: no building or any part thereof, excluding:

- i) open verandas,
- ii) eaves for a distance of 1m,
- iii) boundary walls or boundary fences up to 1.8m in height,
- iv) entrance steps,
- v) flower boxes, pergolas, cornices, water pipes not higher than 2m and not closer than 3m from the street boundary and minor decorations not projecting more than 300mm from the building,
- iv) swimming pools not above ground level may be erected on a site nearer than:
 - a) 3m to any street boundary,
 - b) 2m to any rear boundaries, and
 - c) 1,5m from any side boundary for erven with street frontage of 19m or more and providing that cumulative side spaces are no less than 5m wide.
 - d) 1m from any side boundary for erven with street frontage of less than 19m and providing that cumulative side spaces are no less than 3m and that no windows or doors will be inserted in walls closer than 1,5m to the side boundary.
- e) Where an existing residence already exceeds the street boundary, any new structures erected is subject to the above-mentioned street boundary, except if the planned structure is smaller in area than the existing excision in a case where the same excision is allowed.

Notwithstanding the above-mentioned building lines, Council may approve the erection of any residential house, outbuildings or second residential unit that exceeds a building line, subject to the following:

- a) proof is rendered to Council that the neighbouring owner/s was involved/consulted by the applicant , the neighbouring owner/s secondary is not essential;
- b) that the said building shall not exceed a height of one storey;
- c) that no doors or windows shall be allowed in any wall of such building nearer than 0.5m of the relevant side boundary; and
- d) that another access way, other than through a building, at least 1m wide, is provided from a street to every other vacant portion of the relevant land unit

other than a court-yard.

Advertisement and
publicity:

all boards, signs and other forms of advertising or publicity
must comply with Council's advertising policy.

- **Outbuildings**

Notwithstanding these building lines, but subject to the secondary of the affected or neighbouring owners and Council's written consent, outbuildings may, subject to the following provisions, be erected within such rear and side boundaries on the erf, provided that if the neighbouring owners consent cannot readily be obtained or in the opinion of Council are unreasonably restrained, the Provincial Legislator shall have the competence to decide:

- a) Preference shall be given to the requirements of Council and/or other appropriate authority and/or institution, with regard to the protection and servicing of existing or future underground or aboveground municipal and other services.
- b) The term "outbuilding" for the purpose of this clause shall include habitual rooms/quarters, storerooms, workrooms, garages, motor vehicle, caravan or boat shelters/ports and other minor structures such as barbeques, but does not include a second residential dwelling.
- c) No window or door shall, with regard to an outbuilding which is erected on a side or rear boundary, be placed in the wall (walls) facing the boundary(ies) of the erf concerned.
- d) With regard to an outbuilding which is erected on a side and/or rear boundary, the owner shall be required to finish off the wall facing the boundary of the erf concerned, to the satisfaction of Council, to such standard as it is at least equal to that of the rest of the outbuilding and the owner shall maintain the wall at the said standard.
- e) No rainwater that runs off the roof of the outbuilding shall pour down on an adjoining erf and the owner of the outbuilding shall take precautions, to the satisfaction of Council, to control such run off.
- f) No portion of an outbuilding that is erected on the boundary of an erf shall project over the boundary or exceed it in any other way.

- **Boundary Walls**

At any bird- or animal cages or similar structures for which a building line relaxation has been given, one transparent boundary wall must be erected higher than the highest point of the structure.

- **Further Restrictions Applicable on Specific Uses in this Zone**

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference. (Also see Clause 4.8)

- Second residential unit

Floor area:

Maximum of 60% of the primary dwelling on the erf to a maximum of 120m², with regards that the maximum coverage for all the buildings on any erf of 600m² and more does

not exceed 66%, and not more than 75% for erven smaller than 600m².

Building lines: Same as those for outbuildings.

Height: No more than 1 storey.

- Occupational practice
(see clause 4.8)
- Guesthouses (residential) / Boarding-houses
 - a) Building plans for the concerned buildings or part thereof must be submitted with the application.
 - b) Proof of separate facilities for guests must also be submitted.
 - c) Proof that parking for 1 vehicle per room can be supplied on the premise, must accompany the application.

3.4.3.2 SPC: D.h.2 - Residential Zone II

• **Indication and Permitted Uses**

Indication on map: colour -orange.

Primary use/s: group housing
 a group of separate and/or connected individual residential units which were planned, designed and built as a harmonious architectural entity with a medium density character and with units that may vary between single and double storeys and of which each unit has a ground floor, irrespective whether such units are cadastrally divided or not.

Secondary uses: residential house
 a building containing only one residential unit - a self-contained, interlinking group of rooms for the accommodation and housing of a single family or a maximum of 6 persons who do not satisfy the definition of a "family", together with such outbuildings as are ordinarily used therewith.

crèche
 a building/premise where six to 20 pre-school children are cared for/taken care of, but may not stay overnight.

old-age home

a group of separate and/or interlinked individual residential units or rooms with communal facilities and which is planned, designed and built as an entity for the housing of and/or caring for old persons.

- **Land Uses Restrictions**

Density: at most 30 units per gross hectare or a 4: 1 ratio with regard to the surrounding density of residential units, whichever allows the lowest number of units, provided that a group site does not exceed two hectares. In specific cases (that is, where group housing sites were originally planned as such and open spaces and/or streets are supplied in a suitable manner and do not have to be included in the subdivision of the site) not more than 40 units per gross hectare.

Height: at most 8m above the natural ground level directly beneath any particular point or portion of the building. (also see the definition of group housing and also clause 4.16)

Building lines: the street building line may be zero, but if necessary for safe traffic movements or for other reasons like aesthetics and character of the development in the area, a street building line of 2m may be imposed. The street building line with regard to the garage is 5m, or alternatively the design should be such that any motor vehicle can be safely parked outside the street reserve when the garage door is closed.

Except as may be necessary for service mains, the building line with regard to the rear boundary and side boundaries can also be zero. However, where this zone borders another zone (Open space zone excluded), a building line of 2m shall apply with regard to the rear and side boundaries.

Parking: at least two parking bays per group house. Both parking bays may be provided on the group Erf, and a portion of the requirement for the project may be provided communally or the entire requirement may be provided in the form of communal parking, provided that at least 50% of the parking bays shall be covered.

Street widths: for a public street at least 10m reserve, but 8m in cases of a cul-de-sac which does not serve more than 14 group houses.

Communal open space: at least 80m² per residential unit. These open spaces exclude streets, private outdoor space and communal service areas. This requirement shall fall away if Council is of the opinion that sufficient open space is available.

Private outdoor space:	at least 40% of the gross floor area of the relevant unit in a form of which the sides do not exceed a ratio of 2:1.
Design:	the purpose reflected in the definition of group housing (as included in the definition) should be followed and implemented very closely.
Advertisement and publicity:	all boards, signs and other forms of advertising and publicity must comply with Council's advertising policy.
General:	<ol style="list-style-type: none">a) In addition to the private outdoor space, a communal or private service yard of sufficient area and screened from public view by a wall, shall be provided for each unit, to the satisfaction of the local authority.b) A garage that can be locked, carport, service yard and atrium are excluded in the calculation of the floor space for the purposes of the calculation of the 40% private outdoor space.c) A service yard and carport cannot be regarded as part of private outdoor space, while a patio can be regarded as part thereof.d) The providing of communal services with regard to different group erven in order to save on service costs is permitted, but separate meters shall be installed where applicable.e) Where paving, landscaping, other provisions (such as the provision of public open space outside the site which is applied for or additional open space inside the site which is applied for) or other aesthetic requirements are deemed necessary in order to render the site suitable for group housing; it may be required at the owner's expense. Council reserves the right to maintain such a site on an annual tender basis at the expense of the owner(s) or not to become involved at all in such maintenance.f) Subject to the provisions of the Municipal Building Regulations that may come into effect from time to time, no external additions or building construction work is allowed in this particular scheme, unless the appearance of the scheme is not affected negatively.

- **Further Restrictions Applicable on Specific Uses in this Zone**

Notwithstanding the preceding land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

- Residential houses

Residential houses in this zone shall be subjected to the same development restrictions as in the Residential zone I (see par. 3.4.3.1).

- Occupational practice and other rights

(see clause 4.8)

- **General**

Municipal services refuse removal, washing lines and outside toilet facilities.

With regard to all the above-mentioned facilities Council shall give special attention with the consideration of the building plans in order to ensure that the best functional and aesthetic results are obtained.

3.4.3.3 SPC: D.h.4 - Residential Zone III

- **Indication and Permitted Uses**

Indication on map:	colour	- orange with black hatching.
Primary use/s:	flats	a building containing more than one residential unit;
	residential building	a building consisting of one or more residential units (excluding a group house, residential house or second residential unit) for human habitation, together with the outbuildings used therewith, and it includes boarding-houses, flats, hotels (with no off-sales), residential clubs, old-age homes, children’s homes and hostels, but excludes buildings which are mentioned in the definition of “place of instruction” or “institution”.
Guest House (Commercial):		means a house or building where the majority of facilities are shared and where at most 16 rooms are leased on a short term basis.
Secondary uses:	institution	a building or part thereof which is used or intended to be used as a charity, health or welfare institution and/or for the administration thereof, and includes community facilities, place of assembly, a hospital, a pharmacy linked to a hospital, clinic or reformatory, either private or public, but does not include a prison or place of detention.
	group housing	a group of separate and/or connected individual residential units which were planned, designed and built as a

harmonious architectural entity with a medium density character and with units that may vary between single and double storeys and of which each unit has a ground floor, irrespective whether such units are cadastrally divided or not.

residential house

a building containing only one residential unit - a self-contained, interlinking group of rooms for the living, accommodation and housing of a single family only, or a maximum of 6 persons who do not satisfy the definition of a "family", together with such outbuildings as are ordinarily used therewith.

- **Land Use Restrictions**

Coverage: 50% (covered parking not included).
80% for hotels

Height: at most 16m above the natural ground level directly beneath any particular point or portion of the building (see clause 4.16).

Building lines: a street building line of 4,5m shall be applicable, while the building line with regard to the rear boundaries shall be 4,5m or half the height of the building, whichever is the largest.

Notwithstanding these building lines, outbuildings may be erected (in the side and rear spaces) without advertising, but with the permission of Council, provided that:

- proof is rendered to Council that the neighbouring owner/s involved was consulted by the applicant but the neighbouring owner/s consent is not essential;
- the street building line remains valid;
- the said outbuildings shall not exceed a height of one storey;
- no door, window or other openings shall be placed in any wall that fronts on the side and/or rear boundary;
- a minimum access way of 1m wide shall be provided to every vacant portion of the site, but not through a building and except to a court-yard.

Parking: 1 parking bay for every residential unit (flat) or, in the case of hotels, boarding-houses and other residential houses, 1 parking bay for every 2 bedrooms.
The parking must be undercover and must be indicated on the building plans.

In addition to the parking area and parking bays described above, at least 1 parking bay for every 2 residential units (flats) or every 4 bedrooms, in the case of hotels, boarding-houses and other residential buildings, must be provided on the site, clearly demarcated and properly indicated by means of a notice board, to the satisfaction of Council, for use by visitors.

Open space: in the case of a block of flats, at least 15% of the site area should be reserved as an uninterrupted unit for gardening or recreation.

Guest House
(Commercial):

- a) Building plans for the concerned buildings or part thereof must be submitted with the application.
- b) Proof of separate facilities for guests must also be submitted.
- c) Proof that parking for 1 vehicle per room can be supplied on the premise, must accompany the application

Advertisement and
publicity: all boards, signs and other forms of advertising or publicity must comply with Council's advertising policy.

- **Further Restrictions Applicable on Specific Uses in this Zone**

Notwithstanding the preceding land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

- Group houses and residential houses

The restrictions that are subject to group houses in the Residential zone II (see par. 3.4.3.2) and residential houses in the Residential zone I (see par. 3.4.3.1), are applicable in this zone.

- Occupational practice and other rights

(see clause 4.8)

- The building lines and requirements regarding provision of parking on the site, as prescribed for Institutional zone II (see par. 3.4.1.2) applies to this zone.

- **General**

- Municipal services refuse removal, washing lines and outside toilet facilities. With regard to all the above-mentioned facilities Council shall give special attention with the consideration of the building plans in order to ensure that the best functional and aesthetic results are obtained.

3.4.3.4 SPC: D.h.8 - Residential Zone IV

- Indication and Permitted Uses**

Indication on map:	colour	-yellow with black hatching.
Primary use/s:	Informal dwelling	a residential unit that does not comply with the standards of durability as envisaged by the National Building Regulations, as is applicable in the Council's jurisdiction.
	residential house	a building containing only one residential unit - a self-contained, interlinking group of rooms for the living accommodation and housing of a single family only, or a maximum of 6 persons who do not satisfy the definition of a "family", together with such outbuildings as are ordinarily used therewith.
Secondary uses:	place of instruction	a school, college, technical institute, academy, university, lecture hall or other centre of instruction, and includes a hostel appertaining thereto, and a convent, public library, art gallery, museum, gymnasium and crèche, but does not include a building used or intended to be used wholly or primarily as a certified reformatory or industrial school or as a school for the mentally handicapped.
	public place of worship	a church, synagogue, mosque, temple, chapel or other place for practicing religion. It also includes any building in connection therewith, for instance a hall, Sunday school classes, madrassa or parsonage, but does not include funeral parlours, including chapels forming part of such parlours.
	tuck shop	a small commercial business, not bigger than 25m ² , run by a member/members of the household from a part of the house or outbuilding, provided that stock shall be limited to the volume that can be accommodated in the tuck shop and no processing, subdividing or preparing of food may be done and no stock may be stored outside of the tuck shop

bird or animals cages

- **Land Use Restrictions**

Coverage:	at most 80%.
Height:	at most 8m above the natural ground level directly beneath any particular point or portion of the building. (see clause 4.16)
Building lines:	no building or any part thereof, excluding a garage with a roll-up door, boundary walls or boundary fences shall be erected on a site nearer than 1.0m to any street boundary, 1.0m to the rear and 1 side boundary and no doors or windows shall be placed in any wall closer than 1,5m from any side or rear boundary.
Advertisement and publicity:	all boards, signs and other forms of advertising or publicity must comply with Council's advertising policy.

- **Outbuildings**

Notwithstanding these building lines, but subject to the consent of the affected or neighbouring owners and Council's written consent, outbuildings may, subject to the following provisions, be erected within such rear and side boundaries on the erf, provided that if the neighbouring owners consent cannot readily be obtained or in the opinion of Council are unreasonably restrained, the Provincial Legislator shall have the competence to decide:

- a) Preference shall be given to the requirements of Council and/or other appropriate authority and/or institution, with regard to the protection and servicing of existing or future underground or aboveground municipal and other services.
- b) The term "outbuilding" for the purpose of this clause shall include habitual rooms/quarters, storerooms, workrooms, garages, motor vehicle, caravan or boat shelters/ports and other minor structures such as barbeques, but does not include a second residential dwelling.
- c) No window or door shall, with regard to an outbuilding which is erected on a side or rear boundary, be placed in the wall (walls) facing the boundary(ies) of the erf concerned.
- d) With regard to an outbuilding which is erected on a side and/or rear boundary, the owner shall be required to finish off the wall facing the boundary of the erf concerned, to the satisfaction of Council, to such standard as it is at least equal to that of the rest of the outbuilding and the owner shall maintain the wall at the said standard.
- e) No rainwater that runs off the roof of the outbuilding shall pour down on an adjoining erf and the owner of the outbuilding shall take precautions, to the satisfaction of Council, to control such run off.
- f) No portion of an outbuilding that is erected on the boundary of an erf shall project over the boundary or exceed it in any other way.

- **Additional Rights with reference to this zone**

Notwithstanding any provisions to the contrary in the planning scheme-

- (a) any occupier of any unit of accommodation may utilise such unit for any social, religious, occupational or business purposes, subject to the following conditions:
 - (i) the dominant use of the property shall remain residential;
 - (ii) the use concerned shall not be disturbing to neighbours; and
 - (iii) the use concerned shall not interfere with the charm of the immediate neighbourhood.
- (b) land zoned for street purposes may be utilised for business purposes during normal business hours, provided that Council may terminate such utilization if, in its opinion, it interferes with pedestrian or vehicle movement, or if it harms the charm of the neighbourhood.

If anyone or anybody is of the opinion that any condition referred to in the above clause is contravened, such person may lodge a written complaint with Council requesting action in terms of clause 4.19.

3.4.4 SPC: D.i - BUSINESS AREAS

3.4.4.1 SPC: D.i.1 - Business Zone I

- **Indication and Permitted Uses**

Indication on map: colour - blue.

Primary use/s: business premises a site and/or building or part thereof used as, or intended to be used as shops and/or offices and it includes hotels, restaurants, dry-cleaners, financial institutions, professional offices, places of assembly, doctors consulting rooms, stock or product exchanges, put-put course, flats above ground floor and buildings for similar uses, but it excludes a bottle store, taverns, places of entertainment, a casino, adult entertainment, institutional buildings, funeral parlours, public garages, service stations, repairing or related replacing functions, industrial buildings, offensive industry, heavy vehicle overnight facilities or any wholesale business.

Secondary uses: bottle store means any shop or portion thereof in which alcoholic beverages are sold in the retail trade, and includes an off-sales facility which is under the same

	management as a licensed hotel.
tavern	means a building in which the on-site consumption of liquor has been legalised by means of a liquor license, issued in terms of section 20 of the Liquor Act, 1989 (Act 27 of 1989) or by means of the Sorghum Beer Act, 1962 (Act 63 of 1962) and where titbits are also served;
institution	means a building or part thereof which is used or intended to be used as a charity, health or welfare institution and/or for the administration thereof, and includes community facilities, place of assembly, a hospital, a pharmacy linked to a hospital, clinic or reformatory, either private or public, but does not include a prison or place of detention.
place of entertainment	any building or premise where people assemble for entertainment or social, relaxing or sport purposes, and where an entrance fee is normally charged, and includes a theatre, bioscope, dance hall, amusement park, sport centre, billiard-room, skating rink and a public or private sports club facility, but does not include any building or site for a casino or adult entertainment.
service station	a commercial business or concern where the sale of motor vehicles, oil, tyres and motor spares are traded in and includes a business where motor vehicles are provided with fuel for payment, a restaurant, a café, as well as the repair and overhaul of motor vehicles, but excludes spray-painting, panel beating, blacksmith work and body work.
drive-in restaurant	any land or buildings used as restaurant or café from which food and refreshments can be served to patrons who remain seated in motor cars parked in the vicinity of such café or restaurant.
service industry	a commercial business or concern mainly geared for service to the public and includes the replacing of car tyres, exhaust systems, shock absorbers, the

fitting of car radios and similar practises, bakery, dry-cleaner, carwash service, carpet wash service, dressmaking, framing, printing and any similar work shops or enterprises at the discretion of Council, but does not include any trade that resorts under the definition of industry, service station, garage, offensive trade or business, unless listed above.

funeral parlour a building where corpses are kept prior to burial or cremation.

animal clinic a site and/or building where animals/birds receive medical treatment but may not stay overnight.

animal hospital a site and/or building where animals/birds receive medical treatment and may stay overnight if necessary.

warehouse a building for storage of goods as well as the running of a large wholesale business in connection with such goods (including alcoholic beverages), provided the "warehouse" excludes retail trade and wholesalers may only sell or deliver to dealers.

• **Land Use Restrictions**

Floor factor: 3.0

Coverage: 100%.

Height: at most 12m above the natural ground level directly beneath any particular point or portion of the building. (see clause 4.16).

Building lines: business buildings, flats and residential buildings on top of business buildings may be erected on the street boundary. All other buildings must maintain a building line of 3m from the street boundary. With regard to rear and side boundaries, buildings in this zone may be erected on such boundaries. A building or portion of a building may only be erected on the side and rear boundaries of a property if no windows, doors or ventilation openings are let into any wall on such boundary.

Notwithstanding these building line regulations for side and rear boundaries, in cases where these boundaries form the division between the business zone and any other zone, a building line on both sides of the communal boundary shall be applicable, which is equal to the relevant building line in the adjoining zone.

Parking: at least 1 parking bay for every 25m² of the total floor area of the building (excluding any section of the building that is used for residential purposes).

A larger parking requirement than afore mentioned, may be required by Council in a particular case where Council is convinced that the specific type of development justifies such a bigger demand.

1 Parking bay must be provided for every 2 bedrooms in the case of hotels and residential buildings. Furthermore, parking for visitors shall be provided in the following cases, besides the parking already required, and on the following basis:

- ♦ 1 parking bay for every 4 residential units;
- ♦ 1 parking bay for every 5 bedrooms in the case of residential buildings; and
- ♦ 20 parking bays in the case of licensed hotels.

Alternative parking requirements :

- i) as an alternative for on-site parking, the owner may, with the consent of Council, where Council is of the opinion that it is undesirable or impractical from a planning point of view to provide the required parking facilities on the site, acquire the prescribed area of land for the parking facilities elsewhere in a position approved by Council, provided that he registers a notarial deed against such land to the effect that Council and the public shall have free access thereto for the purpose of parking, and the owner shall be bound to level this land and provide a permanent surface, storm water drain, kerbings and markings and maintain it to the satisfaction of Council; the cost of registration of the servitude shall be borne by the owner.
- ii) as an alternative for the provision of parking for (i) above, the developer/owner may, with the consent of Council, pay a cash sum equal to the municipal assessment per square metre of the site on which the erection is taking place, multiplied by the area required for parking PLUS the developmental cost as a hard (tar or paving or as specified in paragraph 4.12 of these regulations) measured-out parking area; provided that such cash payments are deposited in the place from which no current parking expenses will be offset.
- iii) as an alternative for the provision of parking for (i) and (ii) above, the developer/owner may, with consent of Council, pay an annual parking levy to Council as determined and calculated by Council from time to time.
- iv) In a case where Council is satisfied that there is

enough parking in the area, relaxation of the above-mentioned requirements can be granted.

Further parking and site access requirements:

the vehicle access and exit ways shall be restricted to at most 1 each per site per street abutting the site. The vehicle access and exit ways to the site shall be restricted to a maximum total width of 6m where they cross the street boundary. No vehicle crossing over the pavement may be situated within 5m of any street corner (that is the point of the joining of two street boundaries).

Such parking areas shall, to the liking of Council, be properly built and paved with storm water drainage, kerbing and pavements and be fully marked to the satisfaction of Council (see paragraph 4.13). Such parking areas shall be exclusively used for the parking of vehicles that are lawfully allowed on them and may not be used for trading or any other purposes.

The way in which it is intended vehicles should park or stand on such parking bays and the way to gain access to or exit from, shall be indicated on a plan which shall be submitted to Council. Council may then approve or reject the plan or may lay down more restrictive conditions, if deemed necessary from a traffic point of view or if this parking does not seem to be sufficient.

All parking shall be paint marked and properly demarcated, to the satisfaction of Council, so that free access to each required parking bay is possible. Visitors parking shall be clearly indicated as such, by way of paint marks on the finished parking bays.

Projections:

in this zone, projections, excluding advertising signs approved by Council in accordance with the provisions of any other Act, over streets and building lines shall be limited to minor, distinctive architectural features and one cantilevered open canopy to within 1m of the pavement edge; provided that no portion of a projection shall be less than 2,4m above the pavement and further than 3,5m from the edge of the said property and there shall be no access from the building to the canopy.

Basements:

subject to the provisions of section 188 (17) of the Municipal Ordinance, 1974 (Ordinance 20 of 1974) as amended, the building line restrictions need not be complied to as far as basements are concerned.

Advertisement and publicity:

all boards, signs and other forms of advertising or publicity must comply with Council's advertising policy.

- **Further Restrictions Applicable on Specific Uses in this Zone**

Notwithstanding the preceding land use restrictions which are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

- Institutions and places of entertainment

Coverage: At most 80%

Parking: 1 parking bay for every 10 seats. In cases where this criterion for provision of parking cannot be applied, Council shall determine what provision should be made.

- Service stations

Service stations and services uses in this zone shall be subject to the same restrictions as contained in the Business zone III.

- Warehouses

Parking: at least 1 parking bay for every 200m² total floor space of the entire building while sufficient provision should be made for the loading and unloading of goods.

- Animal hospital and animal clinic

Coverage: at most 80%.

Height: at most 8m above the natural ground level directly beneath any particular point or portion of the building. (see clause 4.16)

- **General**

Municipal services refuse removal, washing lines and outside toilet facilities.

With regard to all the above-mentioned facilities Council shall give special attention with the consideration of the building plans in order to ensure that the best functional and aesthetic results are obtained.

3.4.4.2 SPC: D.i.2 - Business Zone II

- **Indication and Permitted Uses**

Indication on map: colour - blue with black hatching.

Primary use/s: shop a site and/or building and/or structure used for carrying on a retail concern and may include a launderette, offices,

nursery, restaurant, a dry-cleaner, flats above ground floor and a retail concern where goods sold are manufactured and/or repaired in such a concern, provided that the floor area relating to such manufacture and/or repair shall not exceed one third of the floor area of the shop, but it does not include any industries, public garages, service stations, tavern, supermarkets (with or without the selling of wine) or bottle stores.

Secondary uses:	residential house	a building containing only one residential unit - a self-contained, interlinking group of rooms for the living accommodation and housing of a single family only, or a maximum of six persons who do not satisfy the definition of a "family", together with such outbuildings as are ordinarily used therewith.
	flats	a building containing more than one residential unit;

• Land Use Restrictions

Coverage: at most 80%.

Height: at most 8m above the natural ground level directly beneath any particular point or portion of the building. (See clause 4.16)

Building lines: shops and flats on top of shops may be erected on the street boundary. All other buildings must maintain a building line of 4,0m from the street boundary. With regard to rear and side boundaries, buildings in this zone may be erected on such boundaries. A building or portion of a building may only be erected on the side and rear boundaries of a property if no windows, doors or ventilation openings are let into any wall on such boundary.

Notwithstanding these building line regulations for side and rear boundaries, in cases where these boundaries form the division between the business zone and any other zone, a building line on both sides of the communal boundary shall be applicable, which is equal to the relevant building line in the adjoining zone.

Parking: the same as for Business zone I (see par. 3.4.4.1).

Advertisement and publicity: all boards, signs and other forms of advertising or publicity must comply with Council's advertising policy.

vehicles are provided with fuel for payment, a restaurant, a café, as well as the repair and overhaul of motor vehicles, but excludes spray-painting, panel beating, blacksmith work and body work.

Secondary uses: public garage

a commercial business or concern where motor vehicles are provided with fuel for payment or reward and includes trading in motor vehicles, oil, tyres or motor spares, the repair or overhaul of motor vehicles, a restaurant or café, spray-painting, panel beating, blacksmith work or body work.

• **Land Use Restrictions**

Coverage: at most 75%.

Height: at most 2 storeys which in total may not exceed 12m above the natural ground level directly beneath any particular point or portion of the building.

Building line: the street building line shall be at least 3m from the boundary of the adjacent street. Side and rear building lines may be zero, provided that Council may require side building lines in the interest of public health or in order to enforce the upholding of any act or right or in order to provide storm water drainage or any other engineering service. Further, the same building line shall be applicable in the Industrial zone as in any abutting zone with regard to the communal boundary between the two zones.

Parking: 1 parking bay for every 100m² of the total floor space up to a total floor space of 1500m² and 1 additional parking bay for every additional 200m².

Loading and unloading: for the purpose of loading and unloading of vehicles, a space/s to the satisfaction of Council must be reserved in accordance with Table below: For this purpose the loading zone size is 45m².

TABLE

TOTAL FLOOR AREA OF BUILDING (TO NEAREST m ²)	PRESCRIBED LOADING AND DOWNLOADING AREA
0 - 2 500 m ²	1 loading places
2 501 - 5 000m ²	2 loading places
5 001 - 10 000 m ²	3 loading places

site which is served to clients who consume it on the site, and where alcoholic beverages are only served with meals, but does not include a tavern.

- **Land Use Restrictions**

Coverage: at most 80%.

Height: at most 8m above the natural ground level directly beneath any particular point or portion of the building. (See clause 4.16)

Building lines: a street line of 3m is applicable, provided that this building line is also valid for the erection of fuel pumps. Side and rear building lines may be zero, provided that Council may require side building lines in the interest of public health or in order to enforce the upholding of any act or right.

Parking: at least 1 parking bay per 25m² total floor space, provided that the parking bays shall be clearly indicated for visitors.

Vehicle accesses: a) Where the vehicle access and exit ways to and from the site of a service station or public garage cross the street boundary, its width shall not exceed 10m.

The vehicle access and exit ways, to and from motor vehicle fuel pumps, shall be restricted to 1 each for every continuous frontage of 30m which the premises whereon such pumps are erected have on the boundary of a public street.

b) The vehicle access and exit ways, to and from the premises of a service station or public garage, where they cross the street boundary, shall -

i) not be less than 30m from the point nearest to where a declared street, proclaimed street or prospective main road or any other street of similar status intersects, or from the nearest point of an intersection where traffic shall be controlled by a traffic signal or a traffic island;

ii) not be less than 1,5m from the side boundary of the premises,

iii) in the case of an intersection other than one referred to in paragraph (i), and if the corner at the intersection is not splayed, not be less than 10m from such corner, or if the corner at the intersection is splayed, not be less than 10m from such corner or 5m from the point where the line of splay meets the street boundary, whichever is the greater distance from the corner.

Fencing: council may require that any part of the premise be enclosed with a high brick or concrete wall with a height of 2m, if

Council is of the opinion that it is of aesthetical importance to the area.

Advertisement and publicity:

all boards, signs and other forms of advertising or publicity must comply with Council's advertising policy.

• Further Restrictions Applicable on Specific Uses in this Zone

Notwithstanding the preceding land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be specifically applicable to the following buildings and/or uses and shall have preference.

- Restaurants and cafés

As a complimentary use to a service station, the floor area of a restaurant and/or café shall not be more than 30% of the total floor area (measured over the outer walls) of the service station.

• General

Municipal services refuse removal, washing lines and outside toilet facilities.

With regard to all the above-mentioned facilities, Council shall give special attention to the consideration of the building plans in order to ensure that the best functional and aesthetic results are obtained.

3.4.6 SPC: D.k – SPECIAL BUSINESS ZONE AREAS

3.4.6.1 SPC: D.k.1 – Business Zone IV

• Indication and Permitted Uses

Indication on map:	colour	-blue with cross hatching.
Primary use/s:	casino (gambling house)	any institution, site or enterprise where, irrespective whether it is licensed or not, any form of gambling, cards or other game take place, with the aim of determining the profit or loss of money, other property or credit.
Secondary Uses:	place of entertainment	any building or premise where people assemble for entertainment or social, relaxing or sport purposes, and where an entrance fee is normally charged, and includes a theatre, bioscope, dance hall, amusement park, sport centre, billiard-room, skating rink and a public or private sports club facility, but

does not include any building or site for a casino or adult entertainment.

- **Land Uses Restrictions**

Coverage: 100%.

Height: at most 12m above the natural ground level directly beneath any particular point or portion of the building. (see clause 4.16)

Building lines: Buildings may be erected on the street boundary. With regard to rear and side boundaries, buildings in this zone may be erected on such boundaries. A building or portion of a building may only be erected on the side and rear boundaries of a property if no windows, doors or ventilation openings are let into any wall on such boundaries.

Notwithstanding these building line regulations for side and rear boundaries, in cases where these boundaries form the division between the business zone and any other zone, a building line on both sides of the communal boundary shall be applicable which is equal to the relevant building line in the other zone.

Projections: In this zone, projections, excluding advertising signs approved by Council in accordance with the provisions of any other act over streets and building lines, shall be limited to minor, distinctive architectural features and one cantilevered open canopy to within 1m of the pavement edge, provided that no portion of a projection shall be less than 2,4m above the pavement and further than 3,5m from the edge of the said property and there shall be no access from the building to the canopy.

Parking: at least 1 parking bay for each 25m² of the total floor area of the building (excluding the portion used for residential purposes). A larger parking requirement than the aforementioned may be required by Council in a particular case where Council is convinced that the specific type of development justifies such a bigger demand.

Further parking and site access requirements:

the vehicle access and exit ways shall be restricted to at most 1 each per site per street abutting the site. The vehicle access and exit ways to the site shall be restricted to a maximum total width of 6m where they cross the street boundary. No vehicle crossing over the pavement may be situated within 5m of any street corner (that is the point of the joining of two street boundaries).

Such parking areas shall, to the liking of Council, be properly built and paved with storm water drainage, kerbing and pavements and be fully marked to the satisfaction of Council

(see paragraph 4.13). Such parking areas shall be exclusively used for the parking of vehicles that are lawfully allowed on them and may not be used for trading or any other purposes.

The way in which it is intended vehicles should park or stand on such parking areas and the way to gain access to or exit from, shall be indicated on a plan which shall be submitted to Council. Council may then approve or reject the plan or may lay down more restrictive conditions, if deemed necessary from a traffic point of view or if this parking does not seem to be sufficient.

All parking shall be paint marked, properly demarcated to the satisfaction of Council, and so that free access to each required parking bay is possible. Visitors parking shall be clearly indicated as such by way of paint marks on the finished parking bays.

Basements: subject to the provisions of section 188 (17) of the Municipal Ordinance, 1974 (Ordinance 20 of 1974) as amended, the building line restrictions need not be complied with in so far as basements are concerned.

Advertisement and publicity: all boards, signs and other forms of publicity must comply with Council's advertising policy.

- **Further Restrictions Applicable on Specific Uses in this Zone**

Notwithstanding the preceding land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable, specifically to the following buildings and/or uses and shall have preference.

- Places of entertainment

Coverage: At most 80%.

Parking: 1 parking bay for each 10 seats. In cases where this criterion for provision of parking cannot be applied, Council shall determine what provision should be made.

- **General**

Municipal services refuse removal, washing lines and outside toilet facilities.

With regard to all the above-mentioned facilities, Council shall give special attention with the consideration of the building plans in order to ensure that the best functional and aesthetic results are obtained.

3.4.6.2 SPC: D.k.2 - Business Zone V

• **Indication and Permitted Uses**

Indication on map:	colour	-blue with honeycomb hatching.
Primary use/s:	adult entertainment	an enterprise or commercial business that mainly supplies adult entertainment, in trade or selling of articles, and includes enterprises such as escort agencies, sex shops and any other enterprises or shops where persons under the age of 18 are not allowed, but does not include a casino, gambling house, tavern or bottle store.
	business premises	a site and/or building or part thereof used as, or intended to be used as shops and/or offices and it includes hotels, restaurants, dry-cleaners, financial institutions, professional offices, places of assembly, doctors consulting rooms, stock or product exchanges, put-put course, flats above ground floor and buildings for similar uses, but it excludes a bottle store, taverns, places of entertainment, a casino, adult entertainment, institutional buildings, funeral parlours, public garages, service stations, repairing or related replacing functions, industrial buildings, offensive industry, heavy vehicle overnight facilities or any wholesale business.
	tavern	a building in which the on-site consumption of liquor has been legalised by means of a liquor license, issued in terms of section 20 of the Liquor Act, 1989 (Act 27 of 1989) or by means of the Sorghum Beer Act, 1962 (Act 63 of 1962) and where titbits are also served.
	bottle store	any shop or portion thereof in which alcoholic beverages are sold in the retail trade, and includes an off-sales facility which is under the same management as a licensed hotel.
Secondary uses:	place of	

entertainment

any building or site where people assemble for entertainment or social, relaxation or sport purposes and where an entry fee is usually imposed, and includes a theatre, bioscope, dance hall, amusement park, sport centre, billiard-room, skating rink, a public or private sport-club facility and restaurant where entertainment is provided, but does not include any building or site for a casino or adult entertainment.

- **Land Use Restrictions**

Coverage: 100%.

Height: at most 12m above the natural ground level directly beneath any particular point or portion of the building. (see clause 4.16)

Building lines: Buildings may be erected on the street boundary. With regard to rear and side boundaries, buildings in this zone may be erected on such boundaries. A building or portion of a building may only be erected on the side and rear boundaries of a property if no windows, doors or ventilation openings are let into any wall on such boundaries.

Notwithstanding these building line regulations for side and rear boundaries, in cases where these boundaries form the division between the business zone and any other zone, a building line on both sides of the communal boundary shall be applicable which is equal to the relevant building line in the other zone.

Projections: In this zone, projections, excluding advertising signs approved by Council in accordance with the provisions of any other act over streets and building lines, shall be limited to minor, distinctive architectural features and one cantilevered open canopy to within 1m of the pavement edge, provided that no portion of a projection shall be less than 2,4m above the pavement and further than 3,5m from the edge of the said property and there shall be no access from the building to the canopy.

Parking: at least one parking bay for each 25m² of the total floor area of the building (excluding the portion used for residential purposes).

A larger parking requirement than the aforementioned may be required by Council in a particular case where Council is convinced that the specific type of development justifies such a bigger demand.

Further parking

and site access requirements:

the vehicle access and exit ways shall be restricted to at most one each per site per street abutting the site. The vehicle access and exit ways to the site shall be restricted to a maximum total width of 6m where they cross the street boundary. No vehicle crossing over the pavement may be situated within 5m of any street corner (that is the point of the joining of two street boundaries).

Such parking areas shall, to the liking of Council, be properly built and paved with storm water drainage, kerbings and pavements and be fully marked to the satisfaction of Council (see paragraph 4.13). Such parking areas shall be exclusively used for the parking of vehicles that are lawfully allowed on them and may not be used for trading or any other purposes.

The way in which it is intended vehicles should park or stand on such parking areas and the way to gain access to or exit from, shall be indicated on a plan which shall be submitted to Council. Council may then approve or reject the plan or may lay down more restrictive conditions, if deemed necessary from a traffic point of view or if this parking does not seem to be sufficient.

All parking shall be paint marked, properly demarcated to the satisfaction of Council, so that free access to each required parking bay is possible. Visitors parking shall be clearly indicated as such by way of paint marks on the finished parking bays.

Basements:

subject to the provisions of section 188 (17) of the Municipal Ordinance, 1974 (Ordinance 20 of 1974) as amended, the building line restrictions need not be complied with in so far as basements are concerned.

Advertisement and publicity:

all boards, signs and other forms of advertising or publicity must comply with Council's advertising policy.

- **Further Restrictions Applicable on Specific Uses in this Zone**

Notwithstanding the preceding land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

- Places of entertainment

Coverage: At most 80%.

Parking: 1 parking bay for each 10 seats. In cases where this criterion for provision of parking cannot be applied, Council shall determine what provision should be made.

- **General**

Municipal services refuse removal, washing lines and outside toilet facilities.

With regard to all the above-mentioned facilities, Council shall give special attention with the consideration of the building plans in order to ensure that the best functional and aesthetic results are obtained.

3.4.7 SPC: D.n – CEMETERIES

Open Space Zone II

- **Indication and Permitted Uses**

Indication on map:	colour	- green with black hatching.
Primary use/s:	private open space	any land which has been set aside in this scheme for use as a private site for sport, playing, rest and recreation facilities or as an ornamental garden or pleasure-garden, provided that the land is under the long term management of a private person or authority, and also a cemetery or show grounds, whether public or private.
Secondary uses:	racecourse	a site or structure used mainly for races or practicing for any form of races, and include vehicle racecourses, motor-cycle racecourses, horse racecourses and any other similar uses.

- **Land Use Restrictions**

No structure shall be erected or use practiced other than those included in the definition of a private open space or as specifically approved by Council

Advertisement and Publicity: All boards, signs and other forms of advertising or publicity must comply with Council's advertising policy.

3.4.8 SPC: D.o – SPORT FIELDS & INFRASTRUCTURE

Open Space Zone II

- **Indication and Permitted Uses**

Indication on map:	colour	- green with black hatching.
Primary use/s:	private open space	any land which has been set aside in this scheme for use as a private site for sport, playing, rest and recreation facilities or as an ornamental garden or pleasure-garden, provided that the land is under the long term management of a private person or authority, and also a cemetery or show grounds, whether public or private.
Secondary uses:	racecourse	a site or structure used mainly for races or practicing for any form of races, and include vehicle racecourses, motor-cycle racecourses, horse racecourses and any other similar uses.

- **Land Use Restrictions**

No structure shall be erected or use practiced other than those included in the definition of a private open space or as specifically approved by Council

Advertisement and
Publicity: All boards, signs and other forms of advertising or publicity must comply with Council’s advertising policy.

3.4.9 SPC: D.p – AIRPORT & INFRASTRUCTURE

Transport Zone I

- **Indication and Permitted Uses**

Indication on map:	colour	- dark grey.
Primary use/s:	transport use	a use or undertaking based on the provision of a transport service (air- and railway transport included) and includes public as well as private undertakings, but does not include courier services.
Secondary uses:	none	

- **Land Use Restrictions**

Coverage: at most 80%.

Height:	at most 8m above the natural ground level directly beneath any particular point or portion of the building. (See clause 4.16)
Building lines:	no street building line is required, while side and rear building lines may also be zero, except when the transport zone abuts another zone, in which case the side and rear building lines of the other zone shall apply to both sides of the communal boundary.
Parking:	as determined by Council from case to case.
Advertisement and publicity:	all boards, signs and other forms of advertising or publicity must comply with Council's advertising policy.

3.4.10 SPC: D.q – RESORTS & TOURISM RELATED AREAS

Resort Zone I

• Indication and Permitted Uses

Indication on map:	colour	- green bushes.
Primary use/s:	holiday accommodation	a harmoniously designed and built holiday development, belonging to one owner, with an informal layout of which the individual units are only marketed by means of renting to travellers and holiday-makers for short-term residence, and may include a guest house, a restaurant, a café, camping site, caravan park, conference facilities, small chapel, holiday flats or built units, but does not include private mobile homes, a hotel or motel.
Secondary uses:	hotel	a building designed to comply with the requirements for a hotel, but does not include linked or separate buildings or sites for off-sale facilities.
	place of entertainment	any building or site where people assemble for entertainment or social relaxation or sport purposes and where an entry fee is usually imposed, and

includes a theatre, bioscope, dance hall, amusement park, sport centre, billiard-room, skating rink, a public or private sport-club facility and restaurant where entertainment is provided, but does not include any building or site for a casino or adult entertainment.

Restaurant

an enterprise or place that mainly prepares food and refreshments on the site which is served to clients who consume it on the site, and where alcoholic beverages are only served with meals, but does not include a tavern.

• **Land Use Restrictions**

Specific land use restrictions shall be determined by Council with regard to every site which is being rezoned to a resort zone, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning to a resort zone is proposed or approved, according to each case, restrictions/requirements with regard to density, layout, landscaping, building design, etc. shall be determined and a layout plan of the resort with the development suggestions indicated thereon shall, after advertisements and the collection of comment, be submitted to Council for consideration.

Advertisement and publicity:

all boards, signs and other forms of advertising or publicity must comply with Council’s advertising policy.

• **Further Restrictions Applicable on Specific Uses in this Zone**

No further restrictions or exclusions.

Resort Zone II

• **Indication and Permitted Uses**

Indication on map: colour - green bushes with black hatching.

Primary use/s: holiday Housing

means a harmoniously designed and built holiday development with an informal clustered layout which can include the provision of a camping site, mobile homes or dwelling units, where the housing can be rented out or can be separately alienated by means of time sharing, sectional title division, the selling of block scares or the subdivision of the property on condition that a home owner’s association be established, but does not include a hotel or motel.

Secondary uses:	hotel	a building designed to comply with the requirements for a hotel, but does not include linked or separate buildings or sites for off-sale facilities.
	Place of entertainment	any building or site where people assemble for entertainment or social relaxation or sport purposes and where an entry fee is usually imposed, and includes a theatre, bioscope, dance hall, amusement park, sport centre, billiard-room, skating rink, a public or private sport-club facility and restaurant where entertainment is provided, but does not include any building or site for a casino or adult entertainment.
	Restaurant	an enterprise or place that mainly prepares Food and refreshments on the site which is served to clients who consume it on the site, and where alcoholic beverages are only served with meals, but does not include a tavern.

• Land Use Restrictions

Specific land use restrictions shall be determined by Council with regard to every site which is being rezoned to a resort zone, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning to a resort zone is proposed or approved, according to each case, restrictions/requirements with regard to density, layout, landscaping, building design, etc. shall be determined and a layout plan of the resort with the development suggestions indicated thereon shall, after advertisements and the collection of comment, be submitted to Council for consideration.

Advertisement and publicity: all boards, signs and other forms of advertising or publicity must comply with Council's advertising policy.

• Further Restrictions Applicable on Specific Uses in this Zone

No further restrictions or exclusions.

3.4.11 SPC: D.r – FARMSTEADS & OUTBUILDINGS

Agricultural Zone I

3.4.11.1 Indication and Permitted Uses

Indication on map:	colour	- light green.
Primary use's:	agriculture	the cultivation of crops and plants and/or the breeding of animals, the running of a game farm on an extensive scale on natural veld or land, stock- or auction pens and at most one residential house and other buildings, including residential units for bona-fide workers, which are reasonably relevant to the main agricultural activity on the farm.
Secondary uses:	second residential unit	means a secondary, completely self-contained residential unit which is erected or adapted on a site on which there already exists a residential unit, and which is used for the accommodation of a second family on the site or a maximum of four persons who do not satisfy the definition of a "family".
	farm stall	a building and/or structure which covers an area not exceeding 100m ² and where a farmer can sell his produce, either to his employees or to the general public.
	nursery	where plants are grown and/or sold to the public.
	riding school	the place or enterprise for hiring out horses for payment and includes the caring for and stabling of such horses.
	tourist facilities	facilities created in a rural area for the recreation and entertainment of tourists and may include overnight facilities.
	animal clinic	a site and/or building where animals/birds receive medical treatment but may not stay overnight.
	animal hospital	a site and/or building where animals/birds receive medical treatment and can stay overnight if necessary.
	commercial guest house	a dwelling or building where the

majority of facilities are shared and where at most 16 rooms are leased on a short-term basis.

bird or animal cages

3.4.11.2 Land Use Restrictions

Height: at most 12m above the natural ground level directly beneath any particular point or portion of the building.

Building lines: the street is 4,5m, rear- and side building lines are 3,0m for the primary residential house. No building or part thereof, with the exception of the primary residential house and farm stalls, boundary walls or boundary fences, may, where the premise borders another premise with a different zoning, be erected closer than 30m from the said boundary of the premise and these building lines are 5m where the premise borders another premise also zoned as "Agricultural zone I".

In rural areas any building line as specified by any Road Authority shall be applicable.

Advertisements and publicity: all boards, signs and other forms of advertising or publicity must comply with Council's advertising policy.

3.4.11.3 Further Restrictions Applicable to Specific Uses in these Zones

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

(i) Second residential units

Floor area: at most 60% of the primary dwelling on the premise.

Other: Residential units for bona fide labourers, in applying these regulations, are not regarded as second residential units.

(ii) Farm stalls

Building lines: 4,5m from any street reserve boundary and 10m from all other boundaries.

In rural areas any building line as specified by any Road Authority shall be applicable.

Floor area: at most 100m².

(iii) Commercial Guest houses/Boarding-houses

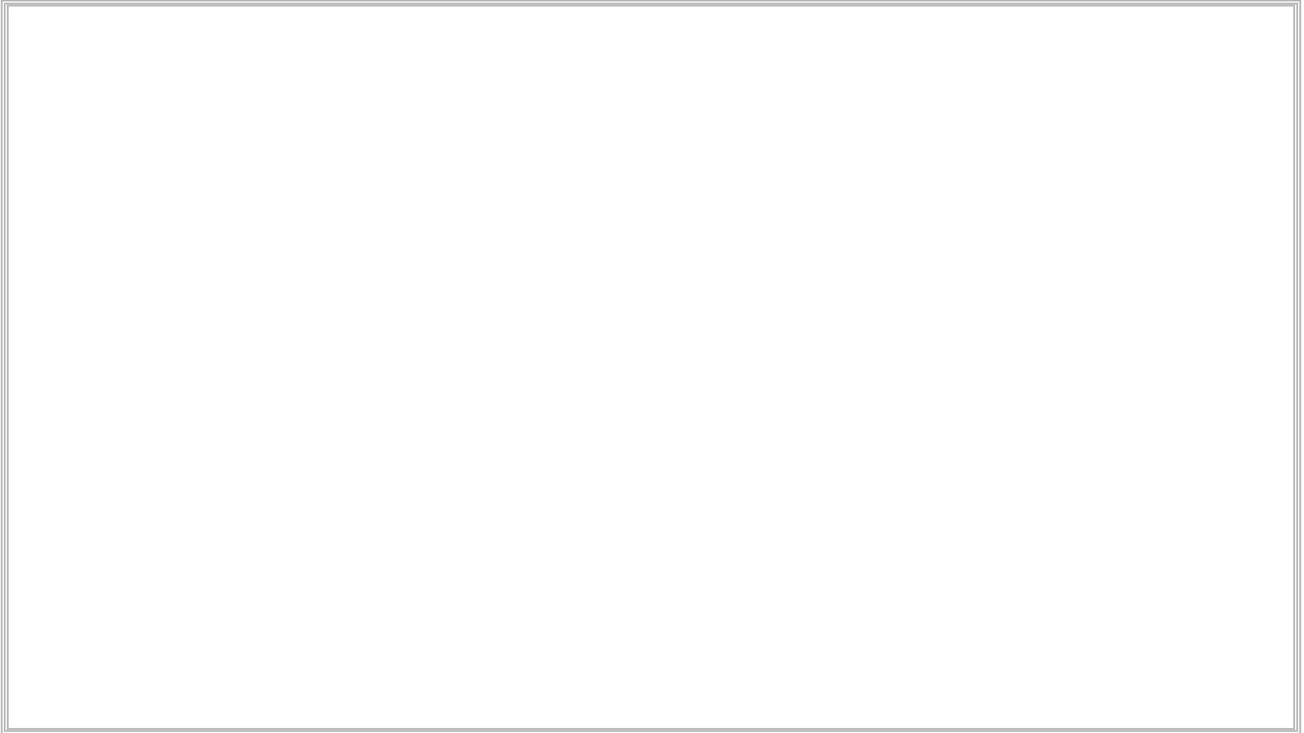
Over and above the stipulations of Clauses 3.4.11.2 and 3.4.11.3, the following regulations shall apply when Council considers this secondary use:

- a) Up to and including 2 rooms may be let under clause 4.8 of these regulations, without applying for consent or rezoning, but subject thereto that Council formally be informed by means of completion of an application form.
- b) Persons letting between 2 rooms and 16 rooms shall have to apply for the concerned secondary use. In considering such an application, special attention regarding the capacity of the existing services and the comment of the neighbours shall be given, whilst the under-mentioned preconditions shall have to be complied with.
- c) Persons letting more than 16 rooms shall have to apply for rezoning to "Residential III", restricted to boarding-house and guest house with more than 16 rooms.

Preconditions for the considering of an application in accordance with (a), (b) or (c) supra, are:

- i) The correct application procedure, including the necessary advertisement for (b) and (c), shall be followed.
- ii) All building and other regulations shall strictly be complied with. No relaxation of building lines or maximum coverage shall thus be allowed.
- iii) The Engineering department must be convinced of the fact that the service network shall be able to carry the load in a sustainable manner.
- iv) Buildings plans for the concerned buildings or part thereof must be submitted with the application.
- v) Proof of separate facilities for guests must also be submitted.
- vi) Proof that parking for 1 vehicle per room can be supplied on the premise, must accompany the application.
- ix) food is commercially prepared/sold on the premise, the person shall have to register for the preparing and serving of food at Council.
- x) In the case of 3.4.11.3(iii) (a) and (b) it is compulsory that the owner reside in the primary residence.

Compliance with these requirements whilst submitting an application does not at all guarantee the approval thereof. These are only preconditions for the consideration of an application.



3.5 SPC E: INDUSTRIAL AREAS

INTRODUCTION

The function of industrial areas is to unlock the opportunities created by the natural environment. Growth in the secondary and tertiary sectors would stimulate economic base for the area. Such industrial development must be undertaken in a manner as to promote the principle of environmental integrity, human well-being and economic efficiency.

The Northern Cape Provincial SDF, par C 7.1; p 134, indicates the following categories for industrial development.

- Agricultural industry;
- Industrial development zone;
- Light industry;
- Heavy industry;
- Extractive industry.

DEVELOPMENT CONTROL PROPOSALS

- Ensure that the planning, placing and design of industrial activities enhance the environment and climate;
- Codes and standards to be set, to plan for and develop industrial buildings;
- Prevent pollution;
- Place industrial land uses in harmony to the rest of the other categories;
- Placing of industrial activities in close proximity to back infrastructure and transport routes.

3.5.1 SPC: E.a – AGRICULTURAL INDUSTRY

Agricultural Zone II

- **Indication and Permitted Uses**

Indication on map: colour - light green with black hatching.

Primary use/s: agricultural industry an industry or enterprise for the processing of agricultural products on a farm unit, as a result of the nature of the products, perishability and fragility and includes, amongst others, wine cellars and sheds, but excludes any form of abattoir.

Secondary uses: agriculture the cultivation of crops and plants and/or the breeding of animals, the running of a game farm at an extensive scale on natural veld or land, stock- or auction pens and at most one residential house and other buildings, including residential units for bona fide labourers, which are reasonably relevant to the main agricultural activity on the farm.

• **Land Use Restrictions**

Coverage: to the satisfaction of the council.

Height: at most two storeys in total not higher than 12m above the natural ground level directly beneath any particular point or portion of the building.

Building line: the street building line shall be at least 3m from the boundary of the adjoining street. Side and rear building lines may be zero, provided that Council might demand building lines in the interest of public health or to enforce the upholding of any act or right or to provide for storm water drainage or any other engineering service.

Furthermore, the same building line will be applicable in the agricultural- industrial zone as in any adjoining zone in terms of the common boundary between the two zones. In rural areas any building lines as specified by any Road Authority shall be applicable.

Parking: 1 parking bay for each 100m² of the total floor area up to 1500m², and one additional parking bay per 200m² thereafter.

Loading and unloading: for the purpose of loading and unloading of vehicles, a space/s to the satisfaction of Council must be reserved in accordance with the table below. For this purpose the loading zone size is 45m².

TABLE

TOTAL FLOOR AREA OF BUILDING (TO NEAREST m ²)	PRESCRIBED LOADING AND DOWNLOADING AREA
0 - 2 500 m ²	1 loading places
2 501 - 5 000m ²	2 loading places
5 001 - 10 000 m ²	3 loading places
Each additional 10 000m ² or portion thereof	1 additional loading place

Above-mentioned loading places will have vehicle access to Council's satisfaction. Said vehicle access shall be at least 5m wide and 3m high, if through a building. It must have a hard surface and be clearly marked as loading places.

Advertisement and publicity:

all boards, signs and other forms of advertising or publicity must comply with Council' advertising policy.

With the rezoning of land to Agricultural Zone II, the council may prescribe any special conditions in respect of permissible uses, parking and loading requirements, access, fencing and aesthetic treatment so that the concern will have the minimum impact on the environment.

• **Further Restrictions Applicable on Specific Uses in this Zone**

Notwithstanding the preceding land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

- Agriculture

The restrictions that agriculture is subject to in Agricultural Zone I (see par.3.4.11.1) are applicable in this zone.

3.5.2 SPC: E.c – LIGHT INDUSTRY

Industrial Zone I

• **Indication and Permitted Uses**

Indication on map: colour -red-purple.

Primary use/s: service industry a commercial business or concern mainly geared for service to the public and includes the replacing of

car tyres, exhaust systems, shock absorbers, the fitting of car radios and similar practises, bakery, dry-cleaner, car wash service, carpet wash service, dressmaking, framing, printing and any similar work shops or enterprises at the discretion of Council, but does not include any trade that resorts under the definition of industry, service station, garage, offensive trade or business, unless listed above.

warehouse a building for storage of goods as well as the running of a large wholesale business in connection with such goods (including alcoholic beverages), provided the “warehouse” excludes retail trade and wholesalers may only sell or deliver to dealers.

service station a commercial business or concern where the sale of motor vehicles, oil, tyres and motor spares are traded in and includes a business where motor vehicles are provided with fuel for payment, a restaurant, a café, as well as the repair and overhaul of motor vehicles, but excludes spray-painting, panel beating, blacksmith work and body work.

Secondary uses: public garage a commercial business or concern where motor vehicles are provided with fuel for payment or reward and includes trading in motor vehicles, oil, tyres or motor spares, the repair or overhaul of motor vehicles, a restaurant or café, spray-painting, panel beating, blacksmith work or body work.

• **Land Use Restrictions**

Coverage: at most 75%.

Height: at most 2 storeys which in total may not exceed 12m above the natural ground level directly beneath any particular point or portion of the building.

Building line: the street building line shall be at least 3m from the boundary of the adjacent street. Side and rear building lines may be zero, provided that Council may require side building lines in the interest of public health or in order to enforce

the upholding of any act or right or in order to provide storm water drainage or any other engineering service. Further, the same building line shall be applicable in the Industrial zone as in any abutting zone with regard to the communal boundary between the two zones.

Parking: 1 parking bay for every 100m² of the total floor space up to a total floor space of 1500m² and 1 additional parking bay for every additional 200m².

Loading and unloading:

for the purpose of loading and unloading of vehicles, a space/s to the satisfaction of Council must be reserved in accordance with Table below: For this purpose the loading zone size is 45m².

TABLE

TOTAL FLOOR AREA OF BUILDING (TO NEAREST m ²)	PRESCRIBED LOADING AND DOWNLOADING AREA
0 - 2 500 m ²	1 loading places
2 501 - 5 000m ²	2 loading places
5 001 - 10 000 m ²	3 loading places
Each additional 10 000m ² or portion thereof	1 additional loading place

Above-mentioned loading places will have vehicle access to Council’s satisfaction. Said vehicle access shall be at least 5m wide and 3m high, if through a building. It must have a hard surface and be clearly marked as loading places.

Advertisement and publicity:

all boards, signs and other forms of advertising or publicity must comply with Council’s advertising policy.

• **Further Restrictions Applicable to Specific Uses in this Zone**

Notwithstanding the preceding land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

- Public garages

The restrictions service stations in the Business zone III are subject to, are also applicable to public garages in this zone.

3.5.3 SPC: E.d – HEAVY INDUSTRY

Industrial Zone II

• **Indication and Permitted Uses**

Indication on map: colour -red-purple with black hatching.

Primary use/s: industry a building or use, irrespective of whether it correlates with the meaning

	of a factory, as defined in the Act on Occupational Safety, 1993 (Act 85 of 1993), that is used for any trade regarding the manufacturing, assembling, processing, repairing or dumping of a product or part of a product, the storing of a product or raw material, the repairing, reconstructing or dismantling of vehicles, printing, the manufacturing of gas and any relevant office, caretakers residence, or any building where the use is additional to, or is usually additional to, or is reasonably necessary regarding the use of such enterprise on the same site, provided that it excludes buildings where food and beverage are prepared mainly for consumption on the site.
warehouse	a building for storage of goods as well as the running of a large wholesale business in connection with such goods (including alcoholic beverages), provided the "warehouse" excludes retail trade and wholesalers may only sell or deliver to dealers.
service station	a commercial business or concern where the sale of motor vehicles, oil, tyres and motor spares are traded in and includes a business where motor vehicles are provided with fuel for payment' a restaurant, a café, as well as the repair and overhaul of motor vehicles, but excludes spray-painting, panel beating, blacksmith work and body work.
service industry	a commercial business or concern mainly geared for service to the public and includes the replacing of car tyres, exhaust systems, shock absorbers, the fitting of car radios and similar practises, bakery, dry-cleaner, carwash service, carpet wash service, dressmaking, framing, printing and any similar work shops or enterprises at the discretion of Council, but does not include any trade that resorts under the definition of industry, service station, garage, offensive trade or business, unless listed above.
transport use	a use or undertaking based on the

provision of a transport service (including air- and rail transport) and includes public as well as private undertakings, but does not include courier services.

public garage

a commercial business or concern where motor vehicles are provided with fuel for payment or reward, and includes trading in motor vehicles, oil, tyres or motor spares, the repair or overhaul of motor vehicles, a restaurant or café, spray-painting, panel beating, blacksmith work or body work.

Secondary uses: funeral parlour

a building where corpses are kept prior to burial or cremation.

scrap-yard

a building or land used for the storing, depositing or collecting of junk or scrap metal or articles of which the value depends entirely or partially on the material out of which they are manufactured, or the dismantling of second-hand vehicles or machines with the aim to recover components or material.

• **Land Use Restrictions**

Coverage: at most 75%.

Height: at most 2 storeys which in total may not exceed 12m above the natural ground level directly beneath any particular point or portion of the building.

Building line: the street building line shall be at least 3m from the boundary of the adjacent street. Side and rear building lines may be zero, provided that Council may require side building lines in the interest of public health or in order to enforce the upholding of any act or right or in order to provide storm water drainage or any other engineering service.

Further, the same building line shall be applicable in the Industrial zone as in any abutting zone with regard to the communal boundary between the two zones.

Parking: 1 parking bay for every 100m² of the total floor space up to a total floor space of 1500m² and one additional parking bay for every additional 200m².

Loading and unloading: for the purpose of loading and unloading of vehicles, a space/s to the satisfaction of Council must be reserved in accordance with Table below: For this purpose the loading

zone size is 45m².

TABLE

TOTAL FLOOR AREA OF BUILDING (TO NEAREST m ²)	PRESCRIBED LOADING AND DOWNLOADING AREA
0 - 2 500 m ²	1 loading bays
2 501 - 5 000m ²	2 loading bays
5 001 - 10 000 m ²	3 loading bays
Each additional 10 000m ² or portion thereof	1 additional loading bay

Above-mentioned loading bays will have vehicle access to Council’s satisfaction. Said vehicle access shall be at least 5m wide and 3m high, if through a building. It must have a hard surface and be clearly marked as loading bays.

Advertisement and
publicity:

all boards, signs and other forms of advertising or publicity must comply with Council’s advertising policy.

• **Further Restrictions Applicable on Specific Uses in this Zone**

Notwithstanding the preceding land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

- Scrap-yards

Any land utilised for the purpose of a scrap yard, builders yard, coal yard, timber yard or a transport business, shall be completely fenced in with a solid impermeable wall at all sides as prescribed by Council.

- Service stations and Public garages

The restrictions service stations in the Business zone III are subject to are also applicable to service stations and public garages in this zone.

3.5.4 SPC: E.e – EXTRACTIVE INDUSTRY

Industrial Zone III

• **Indication and Permitted Uses**

Indication on map: colour -red-purple with cross hatching.

Primary use/s: offensive industry any building or premise or portion thereof, designed or used for any

known potentially offensive, damaging or repulsive activity, or the usage or storage of such a substance which is a nuisance or can cause a nuisance, as regulations announced from time to time in terms of sections 33 and 34 of the Act on Health, 1977 (Act 63 of 1977) and, without limiting the generality of aforementioned, include the following: any chemical works, distillery, brewery, manure or chemical manure works, treatment of bones, horns or hooves, processing or storage of hides or skins other than in dry conditions, abattoirs, stone crushing, any treatment or manufacturing of cement, a premise for the storage, sorting or any other activity in any form concerning refuse, sewerage or night- soil, oil or other petroleum processing or any other usage which the Council may regard as an “offensive industry”

crematorium

a building where corpses are cremated.

public garage

a commercial business or concern where motor vehicles are provided with fuel for payment or reward, and includes trading in motor vehicles, oil, tyres or motor spares, the repair or overhaul of motor vehicles, a restaurant or café, spray-painting, panel beating, blacksmith work or body work.

Secondary uses:

industry

a building or use, irrespective of whether it correlates with the meaning of a factory, as defined in the Act on Occupational Safety, 1993 (Act 85 of 1993), that is used for any trade regarding the manufacturing, assembling, processing, repairing or dumping of a product or part of a product, the storing of a product or raw material, the repairing, reconstructing or dismantling of vehicles, printing, the manufacturing of gas and any relevant office, caretakers residence, or any building where the use is additional to, or is usually additional to, or is reasonably necessary regarding the use of such enterprise on the same site, provided that it excludes buildings

	where food and beverage are prepared mainly for consumption on the site.
warehouse	a building for storage of goods as well as the running of a large wholesale business in connection with such goods (including alcoholic beverages), provided the "warehouse" excludes retail trade and wholesalers may only sell or deliver to dealers.
transport use	a use or undertaking based on the provision of a transport service (including air- and rail transport) and includes public as well as private undertakings, but does not include courier services.
scrap-yard	a building or land used for the storing, depositing or collecting of junk or scrap metal or articles of which the value depends entirely or partially on the material out of which they are manufactured, or the dismantling of second-hand vehicles or machines with the aim to recover components or material.

- **Land Use Restrictions**

The regulations applicable to the Industrial zones I and II shall be applicable to this zone and that:

- a) Council must specifically approve any primary use;
- b) where this zone is adjacent to a residential zone, the following building lines shall be applicable in the industrial zone III;
 - street boundary: 6m.
 - side and rear boundary: 10m for the planting of shrubs and trees;
- c) industrial discharges, noise, smoke, gasses and storm water shall be purified, controlled, measured and tested at the expense of the applicant or license holder, whoever practises the hindrance.

- **Further Restrictions Applicable to Specific Uses in this Zone**

No additional restrictions or exclusions.



3.6 SPC F: SURFACE INFRASTRUCTURE AND BUILDINGS

INTRODUCTION

Economic development depends on an effective and responsive infrastructure network. The transport of raw material to the markets and points of export is important.

The provision of the necessary infrastructure and bulk services becomes an important issue to link towns and cities.

The Northern Cape PSDF, par C 8.1; p 138, indicates the following categories:

- Roads (national-, main-, minor-, and public roads);
- Heavy vehicle overnight facilities;
- Railway lines;
- Power lines;
- Tele- communication infrastructure;
- Renewable energy structures;
- Dams and reservoirs;
- Canals;
- Sewerage plants and refuse areas;
- Science and technology structures.

DEVELOPMENT GUIDELINES

- Provide and maintain an adequate road and railway system;
- Ensure a reliable supply of bulk water resources and sufficient storage capacity;
- Facilitate water conservation;
- Promote the development of renewable energy;
- Install innovative energy technologies in new development areas;
- Stimulate the development of best practise telecommunication systems (also in rural areas);
- Provision of sufficient house-hold services to marginalised communities.

3.6.1 SPC: F.a – F.d ROADS

Transport Zone II

- **Indication and Permitted Uses**

Indication on map:	colour	- blank with black outline
Primary use/s:	national road (F.a)	means roads proclaimed in terms of the National Roads Act;
	main road (F.b)	means provincial and regional roads proclaimed in terms of the Roads Ordinance;
	minor road (F.c)	means regional and local roads proclaimed in terms of the Roads Ordinance;
	public street (F.d)	any land indicated on a plan or diagram or is specified within this zoning scheme, reserved for street purposes and where the ownership as such vests in a competent authority and includes facilities for public transport.
Secondary uses:	none	

- **Land Use Restrictions**

No structure shall be erected or use practiced other than those included in the definition of “street”.

Advertisement and publicity: all boards, signs and other forms of advertising or publicity must comply with Council’s advertising policy.

3.6.1.1 SPC: F.d.1 – PUBLIC PARKING

Transport Zone III

- **Indication and Permitted Uses**

Indication on map:	colour	- light grey with black hatching.
Primary use/s:	public parking	land or a building or part thereof which is accessible to the general public for parking purposes.
Secondary uses:	none	

- **Land Use Restrictions**

No structures shall be erected or use practiced other than those included in the definition

of “parking area”.

3.6.2 SPC: F.e – HEAVY VEHICLE OVERNIGHT FACILITIES

Transport Zone IV

- **Indication and Permitted Uses**

Indication on map:	colour	- brown.
Primary use/s:	heavy vehicle overnight facilities	land and/or buildings used for parking of heavy vehicles and/or where such vehicles and their drivers can stay overnight and includes all functions as described in “public garage”.
Secondary uses:	none	

- **Land Use Restriction**

No structures shall be erected or use practiced other than those included in the definition of “heavy vehicle overnight facilities”. The land use restrictions and additional provisions relevant to this zone are applicable as for each site or use or type of building approved by the Council.

Building lines: no street building line is required, while side and rear building lines may be zero, except when the transport zone abuts another zone, in which case the side and rear building lines of the other zone shall apply to both sides of the communal boundary. A building or portion of a building may only be erected on the side and rear boundaries of a property if no windows, doors or ventilation openings are let into any wall on such boundaries.

Advertisement and publicity: all boards, signs and other forms of advertising or publicity must comply with Council’s advertising policy.

3.6.3 SPC: F.f – RAILWAY LINES

Transport Zone I

- **Indication and Permitted Uses**

Indication on map:	colour	- dark grey.
Primary use/s:	transport use	a use or undertaking based on the provision of a transport service (air- and railway transport included) and includes public as well as private undertakings, but does not include courier services.
Secondary uses:	none	

- **Land Use Restrictions**

Coverage:	at most 80%.
Height:	at most 8m above the natural ground level directly beneath any particular point or portion of the building. (See clause 4.16)
Building lines:	no street building line is required, while side and rear building lines may also be zero, except when the transport zone abuts another zone, in which case the side and rear building lines of the other zone shall apply to both sides of the communal boundary.
Parking:	as determined by Council from case to case.
Advertisement and publicity:	all boards, signs and other forms of advertising or publicity must comply with Council's advertising policy.

3.6.4 SPC: F.i – RENEWABLE ENERGY STRUCTURES

Special Zone

- **Indication and Permitted Uses**

Indication on map:	colour	- blue-green with number.
Primary use/s:	special use	a use which is such, or of which the land use restrictions are such that it is not catered for in these regulations, and of which the uses and land use parameters are fully described by means of the conditions as contained in the special zone.

Secondary uses: none

- **Land Use Restrictions**

If special factors justify the creation of a new zone on the zoning map for a site or sites, without justifying the creation of a new zone in the scheme regulations, such sites shall be zoned, after advertisements and the collection of comment, as a special zone on the zoning map. Every such piece of land that has been zoned as such, and with regard to which the land use restriction differs from those of other land which has been zoned as such, shall be numbered separately on the zoning map. A special zone may consist of different portions of land, provided that the land use restrictions are the same.

Each special zone with regard to which the land use restrictions differ from those of other special zones, shall be given a separate number (from 1 onwards), and each number, with the accompanying land use restrictions, shall be described as a separate special zone in Annexure A to these scheme regulations.

Advertisement and publicity: all boards, signs and other forms of advertising or publicity must comply with Council's advertising policy.

3.6.5 SPC: F.I – SEWERAGE PLANTS AND REFUSE AREAS

Authority Zone I

- **Indication and Permitted Uses**

Indication on map: colour - red.

Primary use/s: authority use a usage practiced by a local government and of which the extent thereof is of such nature that it cannot be classified or defined under another usage in these regulations, for example fire-brigade services, vehicle test centre or any services installation, such as power stations, sewerage works, refuse dump sites, reservoirs, substations, etc.;

Secondary uses: none

- **Land Use Restrictions**

The land use restrictions and additional provisions relevant to this zone are applicable as for each site or use or type of building approved by the Provincial Government, or, if authorised thereto by the Provincial Government, the Council.

PART 4: GENERAL REGULATIONS

4.1 Utilization of Zoned Land

- 4.1.1 No person may damage or destroy zoned land so as to destroy or impair its utilization for the purpose for which it is zoned; provided that Council may consent to the deposit of waste materials or building rubble on such land.
- 4.1.2 When Council gives its consent under these regulations, it may impose any conditions as it deems fit.
- 4.1.3 Subject to the provisions of any other Act, no provision in these regulations may be construed as prohibiting the reasonable fencing of land.

4.2 Imposed Conditions

Where permission to erect a building or execute any works or to use a building or land for any particular purposes or to perform any other activity that has been granted under this zoning scheme, and conditions have been imposed, such conditions shall have the same force and effect as if they were part of this scheme.

4.3 Compliance with Regulation

No provision in these regulations shall be deemed to grant exemption from compliance with any of Council's regulations.

4.4 Combined buildings / sites

In the case of combined buildings and/or sites, the provisions with regard to each storey, building or part of the building or land unit, shall apply for the purpose it is to be used for. Where it is the intention to use a single storey of a building for more than one purpose, the more restrictive provision shall be applicable.

4.5 Non-conforming sites

Before any written authority is granted in terms of section 96 (1) of the Municipal Ordinance, 1974 (Ordinance 20 of 1974), or a license is issued by Council with regard to a site for which there is no valid license on the date of commencement of these scheme regulations, or when a building is extended or changed, Council may require that all the buildings on the site as well as the site itself be brought into line with the land use restrictions contained in these regulations, with the by-laws of Council and with any other laws which are applicable; provided that the above-mentioned extension refers to the extension of the existing floor space of a building with more than 10%.

4.6 Council's Duties

- 4.6.1 Where permission to erect a building or to perform any works or to use a building or land for any stipulated aim or to perform any other deed or thing is granted in accordance with this scheme and conditions are imposed, these conditions shall have the same force and effect as if they are part of this scheme.

4.6.2 Council shall keep a register containing all approvals, consent, authorisations or departures granted by Council, or after an appeal granted against its decision by virtue any provision of this scheme, and any condition imposed or where to Council has agreed upon, or imposed or agreed upon by the Legislator, or refusals by Council or the Legislator and the name of the applicant involved. Council shall allow any person at any reasonable time to examine such register.

4.6.3 Council shall allow any person at any reasonable time to examine any scheme regulations, zoning map or register which is kept in the office of Council; provided that any information in connection with the zoning scheme which is given to any person, shall only be valid if it is in writing and signed by the official duly authorised thereto by Council.

4.7 Service of Documents

The provisions of section 211 of the Municipal Ordinance, 1974 (Ordinance 20 of 1974), or any Act or Ordinance which may replace it, shall mutatis mutandis apply to this zoning scheme.

4.8 Occupational practice and other rights

4.8.1 Without derogation of any powers of Council under any other law, no regulation contained in this zoning scheme shall be construed as prohibiting or restricting, or enabling Council to prohibit or restrict the following:

- a) the letting, subject to Council's regulations relating to guest houses, by any occupier of a residential house or of any part of such house; provided that not more than 2 rooms or 6 beds may be let in this manner;
- b) the occasional utilization of a public place of worship, place of instruction or institution built as a hall for social functions; or
- c) the utilization of a part of a residential unit for the purpose of occupational practicing by the occupant (See clause 4.8.2 and 4.8.3).

4.8.2 Where a portion of a residential unit is utilised for the purpose of occupational practice, the following conditions are applicable (**also see the definition of occupational practice**):

- a) the registered owner or tenant of the residential unit shall formally inform Council by completing and submitting a registration form to the Municipal Manager;
- b) the occupier shall submit proof to Council that the necessary notices were served on the adjoining owners and shall comply with any other advertising requirements that Council requires;
- c) at most 25% of the total floor surface of the residential unit, to a maximum of 25m², may be used for this purpose;
- d) no garage or part thereof, unless erected to comply with the regulations of the main building, or any other portion of the plot, except for the residential unit, shall be used for this purpose without Council's consent
- e) such part of the residential house, flat or residential building shall only be used as an office and not be used for the purpose of a shop, business building, work shop, industry, store, place of entertainment or offensive industry;
- f) all health and other regulations normally associated with the occupation, trade or activity shall be complied with;
- g) no advertising sign shall be displayed, other than an unilluminated sign or notice, not projecting over a street or exceeding an area of 2000cm² (e.g. 40cm x 50cm) and indicating only the name and occupation of the occupant;
- h) no activities shall be carried out which are or are potentially a source of disturbance or nuisance or danger or annoyance to occupants of other

- i) residential units or portions thereof; and
- i) Council is in a position to, before or at registration, impose any conditions and/or restrictions such as surface, parking, business hours, access, etc., it may deem necessary or essential.

4.8.3 Where a person wants to use a portion of a residential house for the purpose of a tuck shop as a consent use, the following provisions shall also be applicable:

- a) the registered owner of the residential house shall formally apply with Council for the necessary consent in terms of these regulations, by completing and submitting a registration form to the Municipal Manager;
- b) the occupant shall submit proof to Council that the necessary notices were served on the adjoining owners and shall comply with any other advertising requirements that Council may require;
- c) all building and other regulations must strictly be complied with. No relaxation of building lines or maximum coverage shall therefore be considered;
- d) building plans of the relevant buildings or portions thereof shall be submitted with the application;
- e) where three or more bedrooms shall be kept for habitation, proof of separate toilet and sanitary facilities for the tuck shop must also be submitted;
- f) at most 25% of the total floor surface of the residential unit (excluding outbuildings), to an maximum of 25m², may be used for this purpose;
- g) no outbuilding, garage or portion thereof or any part of the plot, except for the residential unit, shall be used for this purpose without Council's consent and the occupier shall submit proof to Council that the necessary notices were served on the adjoining owners;
- h) after approval, such portion of the residential house may only be used as an office or a tuck shop and not for the purpose of a shop, business building, workshop, industry, store, place of entertainment or offensive industry;
- i) all health and other regulations, normally associated with the activities, shall be complied with;
- j) no advertising sign shall be displayed, other than an unilluminated sign or notice, not projecting over a street or exceeding an area of 15 000cm² (e.g. 150cm x 100cm);
- k) no activities shall be carried out which are or are potentially a source of disturbance or nuisance or danger or annoyance to occupants of other residential units or portions thereof; and
- l) Council is in a position to, before or at registration, impose any conditions and/or restrictions that Council may deem necessary or essential.

Compliance with these regulations at the time of submitting an application, shall at no time guarantee the approval of the application. These are only preconditions for the consideration of an application.

4.8.4 If any person or Council are of the opinion that any condition mentioned in these regulations or in the definition of "occupational practice" is being contravened, such person can submit a written complaint to Council in which action is requested in terms of section 67 (2) and (3) of the Act.

4.9 External appearance of buildings

Anyone or any person intending to erect a building or to change the appearance of an existing building shall, if Council so requires (in addition to any plans and particulars required to be submitted under any of Council's regulations), provide drawings or other sufficient indication of the external appearance of the relevant building, including a description of the building materials to be used for the purpose.

The drawings shall be upon suitable and durable material to a scale of 1:100, except that where the building is so extensive as to render a smaller scale necessary, the drawings may be to a scale of 1:200. Council may insist on any alteration to the external appearance and building materials, as it may deem necessary.

4.10 Aesthetics and Landscaping

Where paving, landscaping, other treatment or any aesthetical requirements is deemed necessary by Council or by the Provincial Legislator, if the matter is considered by him, in order to prepare land for development, it may be required by Council or the Provincial Legislator, as the case may be, and such requirements shall be executed to the satisfaction of Council or the Provincial Legislator, as the case may be, at the cost of the owner.

4.11 Conservation of Buildings

The consent of the Municipality shall be required for any alteration to or development affecting an erf listed in the heritage register as compiled and gazetted in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999).

4.12 Site development plans

Any owner intending to apply to the Municipality for the approval or amendment of a Site Development Plan (SDP) shall apply through a competent, authorised, professionally registered draftsman, planner, architect or engineer.

The application shall be submitted in writing in the manner hereafter described and shall contain, but not be limited to the following: (the quantity of which to be determined by the Municipality):

- An application form;
- A power of attorney (if the applicant is not the owner);
- An authorising resolution where the owner is not a natural person;
- A copy of the registered title deed;
- A certificate from the Municipality certifying the current zoning and consents granted;
- Site Development Plan (as per Clause 29.3)
- Fees payable as prescribed by the Municipality.

The site development plan shall be drawn to a scale of 1:100, or such other scale as may be approved by the Municipality and shall show at least the following:

- The siting, height, coverage, number of dwelling units per hectare, and where applicable the floor area ratio of all buildings and structures (actual and proposed);
- open spaces, children's playgrounds, screen walls or other acceptable methods of screening and landscaping;
- vehicular entrances and exits to and from the erf (as well as any proposed subdivision of the erf) to any existing or proposed public street;
- the proposed sub-divisional lines, if the erf is to be subdivided;
- access to buildings and parking areas, roads and road widths;
- building restriction areas (if any);
- parking layout and dimensions and, where required by the Municipality, vehicular and pedestrian traffic system;
- the elevation and architectural treatment of all buildings and structures; and
- the grouping of the dwelling units and the programming of the development of the erf if it is not proposed to develop the whole erf simultaneously.
- contours with values and flood lines.

- refuse and clothe line areas.
- steps to be taken to control storm water runoff.
- the north point.

4.13 Submission of building plans

Any owner intending to build a new house/structure or add on to an existing building/structure shall submit building plans for approval by the municipality. The format and standard thereof shall be in terms of the specifications of the National building Regulations and Building Standards. (Act 103 of 1977)

4.14 Advertising and publicity on buildings and/or land units

All property (land units, buildings and structures) is subject to Council's advertising policy and regulations. This advertising policy shall therefore be regarded and applied as part of these regulations.

4.15 Loading and unloading facilities

4.15.1 Except in the industrial zones, Council may, in order to prevent the obstruction of traffic on any street or proposed street on which a proposed building will front or abut, require the owner to submit proposals for the approval of Council for ensuring, to Council's satisfaction, suitable and sufficient space on the site, for any loading or unloading of vehicles or the provision of fuel to vehicles, which the utilization of the building will normally be likely to entail.

4.15.2 No owner or occupant, of the building in respect of which proposals under these regulations have been required, shall undertake or knowingly permit the continued loading or unloading or fuelling of vehicles, except in accordance with approved proposals.

4.16 Parking: Construction specifications

Parking provision in terms of these regulations shall be built in accordance with the following design specifications. A stay or foundation layer of approved gravel material, functionally correctly compacted to a minimum width of 100mm, upon which one of the following overlay or crown layer types are fixed on a minimum cross gradient of 3%, so that storm water flow can be accomplished:

- a) Concrete: Minimum strength 25 MPa and 100mm width (mixed according to volume ratio: 1 cement; 3 sand; 3 stone);
- b) Double application 13mm and 7mm stone on spray grade bitumen emulsion;
- c) Concrete mixture in which coal ash is used; mixing ratio to produce the same minimum strength for the same layer width as in (a);
- d) Paving of approved bricks (SABS 1058: Class 25 for light vehicles and Class 35 for heavy vehicles) on a compacted sand layer.

In the instance where a particular parking provision is five or less parking bays, these specifications may be relaxed, as accordingly determined in each case by Council.

4.17 Utilization of Outbuildings

No outbuildings may be utilised for any other purpose than that for which the plans have been approved by Council.

4.18 Carports and Access gates

- 4.18.1 Subject to Council's approval, a carport that will exceed a street or side building line, may be erected. The erection of any carport shall be subject to the following conditions:
- a) The width of the carport, measured parallel to the street boundary, shall not be more than 6m and the total service covered by the shelter shall not exceed 40m².
 - b) The carport shall be supported by metal, wooden, brick or cement poles or pillars. These poles or pillars may have a maximum measurement of 350mm horizontal gauge (or 350mm diameter in the case of piping) and at most four poles or pillars may be put up on one side of the carport.
 - c) No walls, except boundary walls, shall be constructed in such a way as to enclose the carport. Comprehensive building plans for the wall and carport must be submitted for approval, where any part of a carport hinges on any boundary wall.
 - d) The height of the carport, measured from the floor to the top of the roof, shall not exceed 3m.
 - e) The sides of the roof shall be neatly finished with a fascia not exceeding a depth of 250mm.
 - f) The facade of the carport shall not be closer than 300mm from the street boundary.
 - g) No gates that open onto the pavement shall be permitted.
 - h) Standard provision shall be made for the collection and run-off of rainwater from the carports.
 - i) Written comment from the adjoining owner/s if a side building line will be exceeded, and the owner/s of both adjoining land units if the street building line will be exceeded, shall be obtained.
 - j) All above-mentioned requirements shall also apply to shade nets.
- 4.18.2 Full building plans, subject to the regulations for a garage, shall be submitted for any carport which does not comply with the conditions of 4.15.1

4.19 Height of buildings, boundary walls and fences

- 4.19.1 The height of buildings as specified and restricted in the different zones, in reality represents multiples of storeys where a storey is defined as a maximum height of 4m in the definition. Therefore, although indicated in metres, the restriction on height shall also be read as a restriction on a specific number of storeys. For example, where the height restriction is 8m, only two storeys may be erected, notwithstanding the fact that the owner may make a storey only 2,5m high. The number of storeys permitted in a zone (excluding industries) is therefore the number of times the height restriction can be fully divided by four.
- 4.19.2 The height of boundary walls and boundary fences shall,
- a) in the instance where it is erected on the street boundary, not exceed a height of 1,8m, except in cases where it is intended to ensure privacy or to hide unsightly backyards from view, in which case Council shall consider a height of up to 2,1m with a maximum distance of up to two thirds of the street front measurement.
 - b) in the instance where it is erected on side or rear boundaries, not exceed a height of 2m.
 - c) in all instances, regardless of the regulations contained in 4.16.2 (a) and 4.16.2 (b) above, maintain the visibility distance at street junctions to Council's satisfaction, and Council may require a reduction of the height and/or length of such boundary walls or boundary fences, if necessary for sufficient visibility distance as determined by Council.
- 4.19.3 Only the following types of material for boundary walls and fences shall be accepted by Council:

- a) Face brick walls, including walls of any brick, e.g. rock face bricks that are normally not plastered;
- b) Normal brick or building block walls (plastered and painted on street side);
- c) Prefabricated panel walls;
- d) Pattern walls, with or without brickwork;
- e) Wire (chicken or diamond); and
- f) Any other material specifically approved by Council.

4.20 Townships and minor subdivisions in terms of the Township Ordinance, 1934

Notwithstanding anything to the contrary contained in these regulations, conditions of ownership imposed by the former Administrator of the Cape upon the approval of townships and minor subdivisions in terms of the Townships Ordinance, 1934 (Ordinance 33 of 1934), shall be applicable in so far as such conditions are more restrictive than the provisions of the zoning scheme.

4.21 General density control

The density control as contained in the definitions of “residential unit” and “second residential unit” and “family” shall be strictly adhered to in order to regulate the general accommodation density in residential areas.

4.22 Entry and inspection of premises

The Municipality shall have the power, through its duly authorised officers, to enter into and upon any erf or building at any reasonable time for the purpose of any inspection which the Municipality may deem necessary or desirable for the purpose of the Scheme.

Subject to the provisions of any other Act, no person shall in any way hinder, distract, or interfere with any authorized officer of the Municipality, or permit such officer to be hindered, distracted or interfered with in the exercising of the powers hereby conferred upon him.

4.23 Submission of applications

Any application submitted for the subdivision, rezoning of a consent use on a site shall be according to the detail and requirements as specified in Schedule A of the Northern Cape Planning and Development Act (Act 7 of 1988).

The local Authority shall process the application in order to obtain a Council Resolution according to the procedures and time frames as specified in the above mentioned Act.

4.24 General penalty clause

Anyone or any person who contravenes any provisions of these scheme regulations are guilty of an offence and can be punished as stated in the Northern Cape Planning and Development Act (1998).

PART 5: ASSESSMENT PROCEDURES, CONDITIONS OF APPROVAL AND APPLICATION FORMS

5.1 GENERAL

- a) The purpose of this section is to prepare a guideline to assist the Official in assessing applications;
- b) This section was prepared in accordance with the Northern Cape Planning and Development Act (Act 7 of 1998);
- c) This section will however, have to be reviewed upon endorsement of Northern Cape Spatial Planning and Land Use Management Act (SPLUMA).

5.2 APPLICATION FORMS

- a) Two sets of application forms have been provided according to legislation:
 - Application for Land Use Management;
 - Application for the Removal of Restrictions in terms of the Removal of Restrictions Act, 1967, Act 84 of 1967.
- b) Any application must be done in accordance with the:
 - Northern Cape Planning and Development Act, 7 of 1998;
 - Umsobomvu Scheme Regulations 2014; and
 - Planning Profession Act, 36 of 2002.
- c) The applicable application form must be submitted with each application.

5.3 REQUIRED SUPPORTIVE DOCUMENTATION

- a) The following documentation must be submitted (if not indicated otherwise) for the preparation of a subdivision application consisting of a maximum of 4 subdivided Erven:
 - Land Use Management Application form
 - Removal of Restrictive conditions Application form (If applicable)
 - Power of Attorney
 - Board of Directors/Trustees resolution (If applicable)
 - Home Owners Association consent (If applicable)
 - Copy of Title Deed
 - Bondholders Consent (If applicable)
 - Surveyor General Diagrams
 - Diagrams of Registered servitudes (If applicable)
 - Locality Plan
 - Surrounding Erf numbers Plan
 - Plan indicating the Surrounding Erf Sizes

- Surrounding Land Uses plan
 - Proposed Subdivision plan
 - Site Development Plan (If applicable)
 - Engineering Report (If applicable)
 - Approval from the Department of Agriculture in terms of the Subdivision of Agricultural Land Act, (If applicable)
 - Motivation Report
 - Any other information requested by the Municipality
- b) The following documentation must be submitted (if not indicated otherwise) for the preparation of a rezoning and larger subdivision applications:
- Land Use Management Application form
 - Removal of Restrictive conditions Application form (If applicable)
 - Power of Attorney
 - Board of Directors/Trustees resolution (If applicable)
 - Home Owners Association consent (If applicable)
 - Copy of Title Deed
 - Bondholders Consent (If applicable)
 - Surveyor General Diagrams
 - Mineral rights certificate together with the mineral holders consent (If applicable)
 - Prospecting contract and/or mining permit (If applicable)
 - Diagrams of Registered servitudes (If applicable)
 - Locality Plan
 - Plan indicating the Surrounding Erf numbers
 - Plan indicating the Surrounding Land uses
 - Plan indicating the Surrounding Zonings
 - Proposed Rezoning plan
 - Site Development Plan
 - Engineering Report (If applicable)
 - Environmental Impact Assessment (If applicable)
 - Archaeological Impact Assessment (If applicable)
 - Heritage Impact Assessment (If applicable)
 - Traffic Impact Study (If applicable)
 - Geo-Technical Report (If applicable)
 - Flood line certificate (If applicable)
 - Consent from the Department of Agriculture
 - Approval from SANRAL (South African National Roads Agency)
 - Approval from SAHRA (South African Heritage Resource Association)
 - Public participation report and minutes of meetings (If applicable)
 - Motivation Report
 - Any other information requested by the Municipality

5.4 CONDITIONS APPLICABLE TO THE (SPATIAL PLANNING CATEGORIES) SPC ZONES

- a) The following conditions will be applicable according to the Northern Cape Provincial Development and Resource Management Plan/ Provincial Spatial Development Framework (PSDF) for any development within the specified zones:

b) SPC A: CORE CONSERVATION AREA

- Only non-consumptive activities will be allowed such as passive outdoor recreation and tourism, research and environmental education and tourism.
- No human interference to be allowed.
- No development to be allowed in proclaimed Natural Environments.
- Appropriate management systems and rules to be implemented to ensure the protection of self-sustaining eco-systems.

c) SPC B: BUFFER AREAS

- A buffer area must be created around SPC A areas to protect the SPC A area from negative land use impacts.
- Be cautious with the development within this area.
- The only activities allowed will be those with an acceptable ecological footprint, sustainability of the development must be proofed.
- No development within the 1:50 and 1:100 year flood lines.
- Prominent natural features must be protected.
- No development on river banks liable for flooding.

d) SPC C: AGRICULTURAL AREAS

- The protection of high potential agricultural land is of great value.
- Land users causing degradation of the natural environment are responsible for the rehabilitation thereof.
- Regulate and monitor agricultural activities on agricultural land.
- Promote sustainable agriculture.
- Consider development on low-potential agricultural land if sustainable economic developments can be developed.

e) SPC D: URBAN AREAS

- Re- structuring of settlements to break down the spatial barriers.
- Densification policies to be applied.
- Non-motorised transportation to be planned for.
- Promote through-traffic.
- Community facilities to be easily accessible.
- Development of sustainable developments.
- Protection of the aesthetic qualities of the town.
- Developments must be in harmony with the environment.
- Promote interaction between rural and urban land use areas.

f) SPC E: INDUSTRIAL AREAS

- Ensure that the planning, placing and design of industrial activities enhance the environment and climate.
- Industrial area to support the Economy.
- Mechanisms to be develop to minimise the generation of pollution.
- Location of industrial developments to be in close proximity to their product source.
- Industrial development to be fully sustainable.

g) SPC F: SURFACE INFRASTRUCTURE AND BUILDINGS

- Optimise the use of the existing infrastructure.
- Transport network to be economically efficient.
- Protection of water sources form pollution.
- Promote the provision of resources to communities.
- Promote the development of renewable energy sources.
- Promote water conservation systems.
- Accelerate the development of telecommunication infrastructure.
- Promote the development of bulk services.

5.5 COMPONENTS OF THE ITEM PREPARED FOR COUNCIL

a) The following information must be indicated in the Item prepared by the relevant Official:

- Details of the applicant
- Property Description
- Details regarding the property
- Relevant annexures and documentation
- The purpose of the application must be explained
- The public participation process must be indicated
- The internal Departments Comments must be attached:
 - Traffic services
 - Emergency Services
 - Electrical Services
 - Roads and Storm water
 - Water and Sanitation
- The Urban Planning section must motivate the proposed application and make a recommendation to the Council.

5.6 STANDARD APPROVAL CONDITIONS

- a) Sections (b) and (c) are standard conditions enforceable by the Municipality;
- b) The Municipality may also enforce any other conditions as they see fit;
- c) The following standard conditions would be applicable for any Rezoning application:
- That the applicant be responsible for all costs incurred as a result of this application;
 - That the applicant pays all levies due to Council, if there are any;
 - That the zoning requirements be adhered to in terms of the Umsobomvu Scheme Regulations with reference to the parking, coverage, bulk, height, building lines and access to the property;

- That the character of the Erf must not detract from the character of the immediate surrounding neighbourhood;
- That no land use activities with adverse negative impact on the immediate surrounding neighbourhood i.e. panel beating , spray painting etc. shall be permitted in the property ;
- That the applicant requests permission from the SAHRA (South African Heritage Recourse Association), if applicable, prior to any development rights being affected and adhere to their stipulations, if applicable;
- That on- and off-loading will only take place within the site boundaries and road and pavements will be clear of such activities;
- That the applicant provides proof of all applicable fees, together with proof of account activation before any building plans and/or diagrams can be considered for approval;
- That the fees applicable are building plan inspection fees, electrical fees, water and sewerage connection fees, water deposit fees and any other that are specific to the development application;
- That the building plans and site development plan be submitted to the Municipality for scrutiny and recommendation;
- That all costs applicable to this recommendation will be payable on submission of the building plans for scrutiny and recommendation for registration purposes;
- That all illegal building work that commences prior to municipal approval be dealt with in accordance with applicable and relevant legislation;
- That the following requirements of the Directorate Community Services, Emergency Services be adhered to on receipt of detail plans:
 - That the protection of occupants or users therein is ensured and that provision is made for the safe evacuation of such occupant or users;
 - That the spread and intensity of such fire within such building and the spread of fire to any other building will be minimized;
 - That sufficient stability will be retained to ensure that such building will not endanger any other building; provided that in the case of any multi-storey building no major failure of the structural system shall occur;
 - That the generation and spread of smoke will be minimized or controlled to the greatest extent reasonably practicable;
 - That adequate means of access and equipment for detecting, fighting, controlling and extinguishing such fire, is provided;
 - That to ensure that the use, storage and disposal of hazardous materials are in accordance with legislation and that detailed plans be submitted for approval by the Emergency Services;
 - That the storm water draining should be so developed to cater for at least a 1/10 year rainwater storm. To provide for connection to Municipal Storm Water Drainage System, special arrangements should be made with the Municipality.
- That the following requirements of the Civil Engineering, Water & Sanitation Section must be adhered to:
 - That water and sewer connections are available at full cost to the applicant from existing municipal services;
 - That all new services must be designed to depth and location of existing services;

- That mentioned designs must be submitted to the City Engineer for approval and all meter point to be situated on Council Property;
- That the following requirements of the Civil Engineering, Roads & Storm water section must be adhered to:
 - That provision to be made for adequate parking, as no traffic obstruction will be allowed;
 - That all new services relating to Roads & Storm water as a result of the development will have to be designed by a Consulting Engineer and submitted for approval before any work commences;
 - That should there be a need for any additional infrastructure, all costs for the above mentioned approval will be the responsibility of the applicant;
 - The fees for bulk services contribution must be adhered to.
- That the following requirements of the Electrical Engineering must be adhered to:
 - That each dwelling must be supplied with its own individual electrical supply cable and individual meter point at each individual dwelling;
 - That the registered electrical contractor would have to provide the Municipality with a compliance certificate for every individual service connection done before the electricity will be energized to these dwellings;
 - That should the client install any three (3) phase machinery on the premises he will be responsible to ensure that adequate protection against single phasing is installed.
 - That the applicant has the responsibility to protect machinery, electronic equipment or any sensitive equipment against power surges;
 - That where continuous supply is required the customer has the responsibility to install a standby supply, which is to comply with municipal by-laws regarding the installation and commissioning of such units;
 - That given that occasional power interruptions are inevitable the customer has the responsibility to take appropriate measures to counter the consequences;
 - That all electrical work done at the above mentioned Erf must be done by a registered electrical contractor acknowledged by this Municipality. No person shall permit the connection of any completed or partially completed electrical installation to the electrical supply unless it has been inspected and tested by an accredited person who must issue a certificate of compliance which is to be handed in at the Municipality on the completion of every new electrical installation. Provided that the supplier may, on request, connect the supply to the installation for the purpose of testing and the completion of the certificate of compliance by the appropriate accredited person.
 - That all electrical work done at the abovementioned Erf would have to comply in wiring code of practice for premises as set out in the SANS 10142-1 and Occupational Health and Safety Act;
- That in the event of any Telkom apparatus being affected, this will take the form of a separate agreement between the Telkom authorities and the applicant;

- That the applicant acknowledge receipt of the conditions within a period of thirty (30) days after acceptance of the letter of notification on the outcome of the council decision or risk the cancellation of council approval, if deemed necessary.
- d) The following standard conditions would be applicable for any Subdivision applications:
- That the applicant be responsible for all costs incurred as a result of this application;
 - That the applicant pays all levies due to Council, if there are any;
 - That the exact area (s) to be subdivided must be determined before surveying and pegging takes place;
 - That the proposed area (s) of subdivision be surveyed and pegged, and that the approved General Plans or Surveyor General's diagrams of newly formed Erf be forwarded to Council, for record purposes;
 - That until the registration of the General Plan and Surveyor General diagram (s), issuance of new title deeds an adherence to legal aspects (e.g. land use procedures) have taken place and proof thereof submitted to Council, no further alteration to any physical structure i.e. erection of building (s), may take place;
 - That the character of the Erf must not detract from the character of the immediate surrounding neighbourhood;
 - That no land use activities with adverse negative impact on the immediate surrounding neighbourhood i.e. panel beating , spray painting etc. shall be permitted in the property ;
 - That on- and off-loading will only take place within the site boundaries and road and pavements will be clear of such activities;
 - That the applicant provides proof of all applicable fees, together with proof of account activation before any building plans and/or diagrams can be considered for approval;
 - That the fees applicable are building plan inspection fees, electrical fees, water and sewerage connection fees, water deposit fees and any other that are specific to the development application;
 - That the building plans and site development plan be submitted to the Municipality for scrutiny and recommendation;
 - That all costs applicable to this recommendation will be payable on submission of the building plans for scrutiny and recommendation for registration purposes;
 - That all illegal building work that commences prior to municipal approval be dealt with in accordance with applicable and relevant legislation;
 - That the following requirements of the Directorate Community Services, Emergency Services be adhered to on receipt of detail plans:
 - That the protection of occupants or users therein is ensured and that provision is made for the safe evacuation of such occupant or users;
 - That the spread and intensity of such fire within such building and the spread of fire to any other building will be minimized;
 - That sufficient stability will be retained to ensure that such building will not endanger any other building; provided that in the case of any multi-storey building no major failure of the structural system shall occur;
 - That the generation and spread of smoke will be minimized or controlled to the greatest extent reasonably practicable;
 - That adequate means of access and equipment for detecting, fighting, controlling and extinguishing such fire, is provided;

- That to ensure that the use, storage and disposal of hazardous materials are in accordance with legislation and that detailed plans be submitted for approval by the Emergency Services;
- That the storm water draining should be so developed to cater for at least a 1/10 year rainwater storm. To provide for connection to Municipal Storm Water Drainage System, special arrangements should be made with the Municipality.
- That the following requirements of the Civil Engineering, Water & Sanitation Section must be adhered to:
 - That water and sewer connections are available at full cost to the applicant from existing municipal services;
 - That all new services must be designed to depth and location of existing services;
 - That mentioned designs must be submitted to the City Engineer for approval and all meter point to be situated on Council Property;
- That the following requirements of the Civil Engineering, Roads & Storm water section must be adhered to:
 - That provision to be made for adequate parking, as no traffic obstruction will be allowed;
 - That should there be a need for any additional infrastructure, all costs for the above mentioned approval will be the responsibility of the applicant;
 - The fees for bulk services contribution must be adhered to.
- That the following requirements of the Electrical Engineering must be adhered to:
 - Each dwelling must be supplied with its own individual electrical supply cable and individual meter point at each individual dwelling;
 - That the registered electrical contractor would have to provide the Municipality with a compliance certificate for every individual service connection done before the electricity will be energized to these dwellings;
 - That should the client install any three (3) phase machinery on the premises he will be responsible to ensure that adequate protection against single phasing is installed.
 - That the applicant has the responsibility to protect machinery, electronic equipment or any sensitive equipment against power surges;
 - That where continuous supply is required the customer has the responsibility to install a standby supply, which is to comply with municipal by-laws regarding the installation and commissioning of such units;
 - That given that occasional power interruptions are inevitable the customer has the responsibility to take appropriate measures to counter the consequences;
 - That all electrical work done at the above mentioned Erf must be done by a registered electrical contractor acknowledged by this Municipality. No person shall permit the connection of any completed or partially completed electrical installation to be electrical supply unless it has been inspected and tested by an accredited person who must issue a certificate of compliance which is to be handed in at the Municipality on the completion of every new electrical

installation done. Provided that the supplier may, on request, connect the supply to the installation for the purpose of testing and the completion of the certificate of compliance by the appropriate accredited person.

- That all electrical work done at the abovementioned Erf would have to comply in wiring code of practice for premises as set out in the SANS 10142-1 and Occupational Health and Safety Act;
- That in the event of any Telkom apparatus being affected, this will take the form of a separate agreement between the Telkom authorities and the applicant;
- That the applicant acknowledge receipt of the conditions within a period of thirty (30) days after acceptance of the letter of notification on the outcome of the council decision or risk the cancellation of council approval, if deemed necessary.

5.7 ZONING REGISTER

- a) The zoning register must be used to indicate all Council approvals with regards to Land Use Applications as well as applications for consolidation of Erven;
- b) This document will be in an electronic format for safe keeping;
- c) The main purpose of a zoning register is to ensure that the new zonings are transferred to the Erven in the event that the Scheme Regulations are revised.
- d) The following information must be included within the Zoning Register:
 - File Number
 - Applicant
 - Owner
 - Application for:
 - Details of Property:
 - 1. Erf/Farm no
 - 2. Street Address
 - 3. Town
 - Zoning:
 - 1. Current
 - 2. New
 - Subdivision:
 - 1. Number of portions
 - Consolidation
 - Council Resolution:
 - 1. Item Number
 - 2. Resolution Number
 - 3. Date
 - Notes

ANNEXURE A
SPECIAL ZONE

SPECIAL ZONE (ACCORDING TO USE)					
NO.	USE	COVERAGE	HEIGHT	BUILDING-LINES	OTHER

ANNEXURE B
REFERENCE MANUAL

ANNEXURE C
APPLICATION FORM