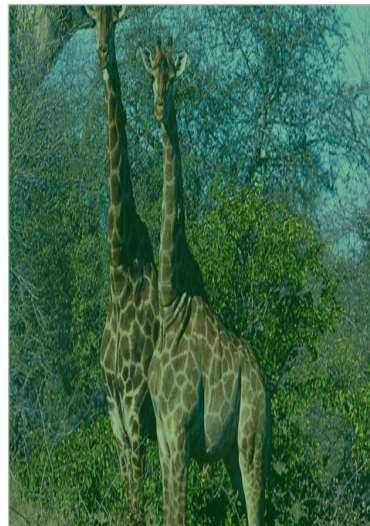
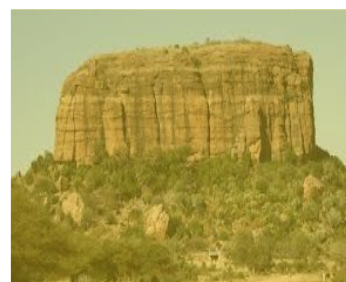
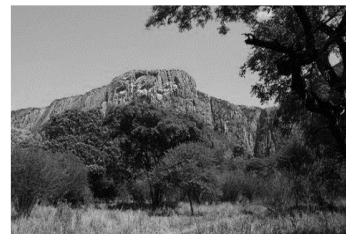
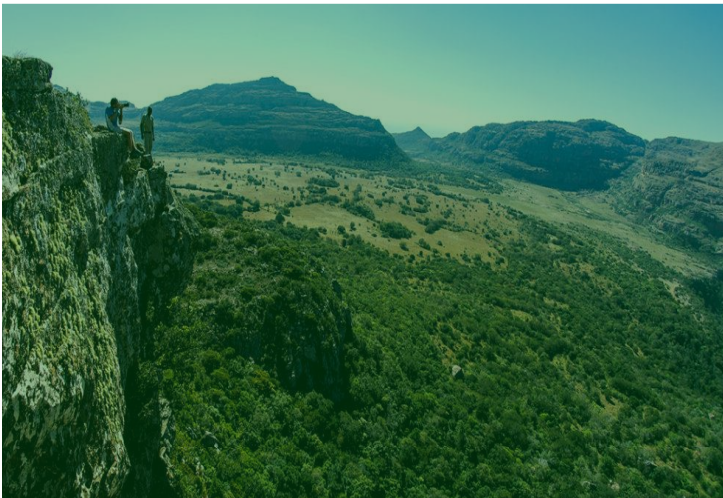


BLOEMBERG LOCAL MUNICIPALITY DRAFT LAND USE SCHEME **2021**

PROJECT NO: BM12/2020/2021



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ABBREVIATIONS

CBA's – Critical Biodiversity Areas

CBD – Central Business District

CPA – Communal Property Association

DAFF – Department of Agriculture Forestry and Fishing

ECD – Early Childhood Development

EIA – Environmental Impact Assessment

ESA's – Ecological Support Areas

F.A.R – Floor Area Ratio

HPAA's - High Potential Agricultural Areas

LUMS – Land Use Management Scheme

OZ - Overlay Zone

PA – Protected Areas

PAA - Protected Agricultural Areas

ROEF – Rectification of Error Form

R.O.W servitude – Right of Way Servitude

RDP's – Reconstruction and Development Plan houses

ROD – Record of Decision

SABS - South African Bureau of Standards

SANS – South African National Standard

SDF – Spatial Development Framework

CHAPTER 1: GENERAL PROVISION AND ADMINISTRATION

BASIC PROVISIONS

Table 1 depicts the basic provisions of the Land Use Scheme.

Table 1: Basic Provisions

PROVISIONS		
1.1 TITLE	1.1.1	This scheme shall be known as the Blouberg Local Municipality Land Use Scheme, 2021, promulgated by virtue of Notice No: ** dated ***** 2021 in the Limpopo Provincial Gazette No: **** and shall hereafter be referred to as the “Scheme”.
1.2 ENACTMENT	1.1.2	The Scheme has been prepared in terms of Section 24 of the Spatial Planning and Land Use Management Act, 2013, (Act No. 16 of 2013) and enacted in terms of Section 25 of the Blouberg Local Municipality Spatial Planning and Land Use Management (SPLUM) By-Law, 2017 (hereafter referred to as the “By-Law”).
	1.1.3	The Scheme shall come into operation as per Section 25(2) of the Blouberg Local Municipality By-Law.
1.3 LAND USE RIGHTS	1.1.4	Whether or not land is registered in terms of the Deeds Registries Act, 1937 (Act No. 47 of 1937), the land may be used only in accordance with the land use rights held in terms of the Scheme. All conditions included in a title deed of a land parcel within the Local Municipality supersede the land use rights granted by the Blouberg Local Municipality.
	1.1.5	A Register of Land Use Rights shall be the definitive source of the land use and development rights of a property.
1.4 AUTHORISED MUNICIPALITY	1.1.6	The Blouberg Local Municipality, hereafter referred to as “the municipality”, the authority responsible for enforcing and carrying out the provisions of the Scheme.
1.5 AREA OF THE SCHEME	1.1.7	The Scheme incorporates the area of jurisdiction of the Blouberg Local Municipality, as proclaimed.



GENERAL ARRANGEMENTS

1.6 PURPOSE OF THE LAND USE SCHEME

The sole purpose of a Land Use Scheme is to be used by municipalities as a tool to guide and manage development according to strategic strategies and plans of key policies such as the Integrated Development Plan (IDP) and Spatial Development Framework (SDF).

1.6.1 Section 25 (1) of the Spatial Planning and Land Use Management Act, Act No. 16 of 2013 (Hereafter referred to as the Act) states that a land use scheme must give effect to and be consistent with the municipal spatial development framework and determine the use and development of land within the municipal area to which it relates in order to promote -

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

1.6.2 Section 16 of the by-law states that in addition to Section 25(1) of the Act, the Municipality must determine the use and development of land within the municipal area to which it relates in order to promote -

- a) harmonious and compatible land use patterns;
- b) aesthetic considerations;
- c) sustainable development and densification;
- d) the accommodation of cultural customs and practices of traditional communities in land use management; and a healthy environment that is not harmful to a person's health.

1.7 LAND USE SCHEME COMPONENTS

1.7.1 The scheme consists of the following components:

- a) scheme regulations setting out the procedures and conditions relating to the use and development of land in any zone;
- b) a scheme map indicating the zoning of the municipal area into land use zones,
- c) a register of all amendments to such land use scheme, and
- d) register of all land use rights of all properties.

1.7.1.1 Section 28(1) of the By-Law states that a land use scheme prepared and adopted by the Municipality must contain

- a) a zoning for all land within the municipal area in accordance with a category of zoning as approved by Council;
- b) land use regulations including specific conditions, limitations, provisions or prohibitions relating to the exercising of any land use rights or zoning approved on a property in terms of the approved land use scheme or any amendment scheme, consent, permission or conditions of approval of an application on a property;
- c) provisions for public participation that may be required for purposes of any consent, permission or relaxation in terms of an approved land use scheme;

- d) provisions relating to the provision of engineering services, which provisions must specifically state that land use rights may only be exercised if engineering services can be provided to the property to the satisfaction of the Municipality;
- e) servitudes for municipal services and access arrangements for all properties;
- f) provisions applicable to all properties relating to storm water;
- g) provisions for the construction and maintenance of engineering services including but not limited to bodies established through the approval of land development applications to undertake such construction and maintenance;
- h) zoning maps as approved by Council that depicts the zoning of every property in the municipal area as updated from time to time in line with the land use rights approved or granted; and
- i) transitional arrangements with regard to the manner in which the land use scheme is to be implemented.

1.7.1.2 The land use scheme may

- a) determine the components of the land use scheme for purposes of it being applied, interpreted and implemented; and
- b) include any matter which it deems necessary for municipal planning in terms of the constitutional powers, functions and duties of a municipality.

1.8 APPLICATION OF THE SCHEME

1.8.1 This Scheme applies to all land within the jurisdiction of the municipal area, including state land.

1.8.2 This Scheme binds every owner and their successor-in-title and every user of land, including the State.

1.8.3 This scheme must comply to the Subdivision of Agricultural Land Act, 1970 (Act No.70 of 1970), unless repealed, where after the scheme must adhere to the applicable legislation.

1.9 SCHEME STATUS

1.9.1 This Land Use Scheme is prepared in terms of the Act and the By-Law and it replaces any other previous applicable Land Use Schemes (e.g. Blouberg Land Use Scheme, 2006).

1.9.2 The use of all land included in the jurisdiction of the municipality shall be controlled by the Land Use Scheme.

1.9.3 No land or building may be used for any purposes other than that permitted in this Land Use Scheme, and its binding to all persons and the State.

1.9.4 Nothing in this Scheme overrides a restrictive condition.

1.10 TRANSITIONAL ARRANGEMENTS

1.10.1 Existing land use rights

1.10.1.1 All existing, legal land use rights that were in effect on properties prior to the effective date are deemed to continue in full force and effect and are hereby incorporated into the Scheme.

1.10.1.2 Should a mistake or oversight be made in the recording of an existing land use right, such mistake or oversight shall be rectified by the municipality, on producing proof of such existing land use right by the land owner.

1.10.2 Current Applications

- 1.10.2.1** Any application made and accepted in terms of a former zoning scheme or Land Use Scheme which is still in process at the commencement date shall be assessed and finalised in terms of such former zoning scheme or Land Use Scheme regulations, except where it has been withdrawn by the applicant in writing or rejected by the municipality.
- 1.10.2.2** Where a rezoning application was approved prior to the commencement of this Land Use Scheme but has not yet been acted on, or where a rezoning was approved within the provisions of a former zoning scheme or town planning scheme, after the commencement of this Scheme, the affected land/s in such approval shall be deemed to be allocated with a corresponding zone in accordance with this Land Use Scheme, where such an approval is acted on.
- 1.10.2.3** Where any approval in terms of the Ordinance or a former zoning scheme has been acted on and constitutes a contravention of any provision in a zone in this Land Use Scheme, for the purposes of this Land Use Scheme it will not be considered to be an offence but a lawful non-conforming use.
- 1.10.2.3.1** A non-conforming use may continue as long as it remains otherwise lawful.
- 1.10.3** Submitted or approved building plans
- 1.10.3.1** before commencement of this Land Use Scheme and which is still being processed; or
- 1.10.3.2** after commencement of this Land Use Scheme, with the express purpose to act on a valid approval granted for any application in terms of planning law or in terms of a former zoning scheme; such building plan will be assessed and finalised within the approval granted and the land use restrictions or provisions of the applicable zone in the former zoning scheme.

1.11 RECTIFICATION OF ERRORS ON THE LAND USE SCHEME MAP

- 1.11.1** If the zoning or land use right of land is incorrectly indicated on the zoning map or wrongly converted from a zoning map of a former land use scheme, the owner of an affected land may submit a "Rectification of Error Form" (hereafter referred to as ROEF) to the Municipality to correct the error (Refer to Annexure A).
- 1.11.2** An owner contemplated in subsection 1.11.1, must apply to the Municipality in the form of the "ROEF" and must -
- a) submit proof of the lawful land use right/s or zoning; and
 - b) indicate the suitable zoning which should be allocated.
- 1.11.3** The onus of proving that the zoning is incorrectly indicated on the land use scheme map is on the owner.
- 1.11.4** The owner is exempted from paying application fees and from liability for the costs of public participation.
- 1.11.5** If the Municipality approves the ROEF, the Municipality must amend the zoning map.
- 1.11.6** The Municipality may refuse to accept the ROEF if the owner fails to submit written proof of the lawful use rights or zoning.
- 1.11.7** The Municipality may correct a zoning map if it finds an error on the map after -
- a) notifying the owner in writing of its intention to correct the wrong conversion or error,
 - b) inviting the owner to make representations within 28 days in respect of the proposed correction of the errors on the zoning map; and
 - c) considering any representations received from the owner.
- 1.11.8** If the Municipality corrects the zoning map, it may only amend the map to show the correct zoning of the property.

1.12 OWNERS RESPONSIBILITY

1.12.1 Section 45(1) of the Act, states that a land development application may only be submitted by;

- a) an owner, including the State, of the land concerned;
- b) a person acting as the duly authorised agent of the owner;
- c) a person to whom the land concerned has been made available for development in writing by an organ of state or such person's duly authorised agent; or
- d) a service provider responsible for the provision of infrastructure, utilities or other related services.

1.12.2 The fact that land may be used for a specific purpose according to its zoning or in terms of Municipality's consent or approval does not exempt anyone from obtaining the necessary permit, license, authorization or approval required in terms of any other legislation.

1.13 MUNICIPALITY'S RESPONSIBILITY

1.13.1 Public Document

1.13.1.1 According to Section 27 of the By-Law, the municipality;

- a) must in hard copy or electronic format keep record in the register of amendments to the land use scheme contemplated in section 29 of the land use rights in relation to each erf or portion of land and which information is regarded as part of its land use scheme.
- b) must keep, maintain and make accessible to the public, including on the Municipality's website, the approved land use scheme and or any component thereof applicable within the municipal area of the Municipality.
- c) Should anybody or person request a copy of the approved land use scheme, or any component thereof, the Municipality must provide on payment by such body or person of the fee approved by the Council, a copy to them of the approved land use scheme or any component thereof in accordance with the provisions of its Promotion of Access to Information By-Law or policy, if applicable.

1.13.2 Keeping Register

1.13.2.1 The Land Use Scheme must comply with Section 27 of the Act

1.13.2.2 The Municipality is responsible for keeping and maintaining a record of all departures, consent uses and non-conforming uses granted in terms of this Scheme. Additional records relating to the use of land in terms of this Scheme as required by the Municipality may also be included in the register. The register must be in electronic format.

1.13.3 Updating Amendments

1.13.3.1 The Municipality is responsible for updating the electronic zoning map, the electronic database, the register and this Scheme regularly, based on approvals granted from time to time. Amendments to the zoning map shall be shown on the official zoning map, which must be updated at least every 6 months.

USER ORIENTATION

1.14 LAND USE SCHEME OBJECTIVES

1.14.1 The key objectives of the Blouberg Local Municipality Land Use Scheme can be summarised as follows:



1.15 RELATIONSHIP BETWEEN THE MUNICIPAL IDP, SDF AND SCHEME

1.15.1 Chapter 5, Section 26 of the Local Government: Municipal Systems Act 2000, requires all municipalities to compile an Integrated Development Plan (IDP) designed to ensure the progressive realisation of the fundamental rights of its citizens and to achieve sustainable long-term development. The municipality is responsible for the co-ordination of the IDP and must draw in other stakeholders in the area who can impact on and/or benefit from development in the area. Once the IDP is drawn up all municipal planning, projects and budgets should base on the IDP. Other government entities should ensure alignment with the IDP in developing their own plans.

1.15.2 The Local Government Municipal Systems Act (MSA), Act No. 32 of 2000, first introduced the concept of the Municipal Spatial Development Framework (MSDF) as a component of the mandatory Integrated Development Plan (IDP) that every municipality has to adopt. The provisions of the MSA that deal with MSDF's have to be read closely with the relevant provisions, especially Part E, of SPLUMA. While the MSA establishes the core features of the MSDF, SPLUMA adds detailed provisions that these Guidelines cover. A MSDF must be aligned with the IDP through integrating, coordinating, aligning and expressing development policies and plans emanating from the various sectors of the spheres of government as they apply within the municipal area. A MSDF must also determine the purpose, desired impact and structure of the land use management scheme to apply in that municipal area.

The SDF will seek to guide the overall spatial distribution of current and desirable land uses within a municipality in order to give effect to the vision, goals, and objectives of the municipal IDP.

- 1.15.3** A Land Use Scheme must give effect to and be consistent with the municipal Spatial Development Framework and determine the use and development of land within the municipal area to which it relates in order to promote economic growth, social inclusion, efficient land development and minimal impact on public health, the environment and natural resources. As mention earlier, property rights are managed through “zoning” as indicative rights of what land use can be exercised on a property. These property rights are assigned, managed and amended though the controls and mechanisms of a Land Use Scheme.

1.16 BLOUBERG LOCAL MUNICIPALITY LAND USE SCHEME

- 1.16.1** The Blouberg Land Use Scheme provides a detailed, property-bound guideline to assist investment decisions by the private sector and planning application decisions by the Municipality. It functions through the development of zones that contain detail regulations with regards to compatible land uses and bulk of development in certain demarcated areas. The Scheme also incorporates various policy statements with regards to certain developments.



CHAPTER 2: DEFINITIONS

2.1 GENERAL TERMINOLOGY AND LAND USE DEFINITIONS

Abattoir – “Means land and buildings or mobile unit used to slaughter animals and poultry and may include the processing of animal and poultry products and in respect of which a registration certificate has been issued in terms of Section 8(1) of the Meat Safety Act, 2000 (Act No. 40 of 2000) and in respect of which a grading has been determined in terms of Section 8(2) of the said Act”.

Act – “means the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013)”.

Additional Dwelling unit/s – “means an additional dwelling unit which may be erected on the same cadastral land on which a dwelling unit exists or are in the process of being erected, provided that:

- a) In the case of land zoned for Residential Zone 1, only one additional Dwelling Unit can be permitted.
- b) Building plans are submitted and approved by the Local Municipality.

Advertisement – “means any audible or visible representation of a word name, letter, figure or object or of an abbreviation of a word or name, or of any sign or symbol, or any light which is not intended solely for illumination or as a warning against any danger, which has as its object the furthering of any industry, trade, business undertaking, event, or activity of whatever nature”.

Advertisement Signs – “means the design or use of signs and symbols to communicate a message to a specific group, usually for the purpose of marketing or informing the public of any activity taking place.”

Aerodrome – “Means land and buildings designed or used for the landing and take-off of fixed wing and rotary wing aircraft, airways control, aircraft hangers, fuel depot, fuel bays, workshops for manufacturing, repair and spray-painting of aircraft, engine run test area, training facilities for flight schools, passenger terminals, luggage and freight storage and handling, customs and migration control, associated shops, sale of aircraft and parts, offices, places of refreshment, places of amusement, banks, ATMs, leasing of vehicles, vehicle valet service area, telecommunication masts, hotel and conference centre, aircraft and related clubs and other ancillary and subservient uses, provided that the establishment and operation of an airport shall be subject to the provisions of the Aviation Act, 1962 (Act 74 of 1962) as amended”.

Agriculture – “The cultivation of land for crops and plants, the keeping and breeding of animals, beekeeping, or the operation of a game farm, and includes such activities and buildings as are reasonably connected with the main farming activities, such as dwelling units for the farmer, farm manager and farm labourers, the packing of agricultural produce grown on the property for delivery to the market and a plan nursery, but excludes intensive horticulture, intensive animal farming, a farm shop, harvesting of natural resources and agricultural industry.

- **Intensive animal farming** means the breeding, feeding and keeping of animals or poultry on an intensive basis, but excludes the breeding, feeding and keeping of wildlife.
- **Intensive horticulture** means the culture of plants on an intensive scale, including the culture of plants under a roof or a greenhouse, as well as the sale of self produces plants on a property;

Agricultural Use – “Means land used for, or a building designed or used for the purpose of arable land, grazing ground, pig farming, horticulture, poultry farming, dairy farming, breeding and keeping of livestock, bee keeping, forestry, mushroom and vegetable farming, floriculture, orchards and any other activities normally regarded as incidental to farming activities or associated therewith, including farm stalls.”

Agricultural Industry – “An enterprise for the processing of agricultural products on or in close proximity to the land where these agricultural products are produced, and where processing in such proximity is necessary due to the nature, perishability or fragility of such agricultural products, and includes wineries, farm packaging stores and chicken hatcheries but does not include the trading of processed products.”

Agri-Village/Farm worker housing – “A private settlement of restricted size established and managed as a legal entity that is situated within an agricultural or rural area and where residence is restricted to bona fide rural workers and their dependants, of the farms, forestry or conservation enterprises situated in the area. The development of agri-villages may represent a partnership between the farmer, the farm worker and the state.”

Airfield – “means land and buildings used for the landing and take-off of aircraft and helicopters and may include the hanger and parking area for aircrafts and a fuel depot subject to the provisions of the applicable acts.”

Amusement facility – “means a facility where fun or recreation is provided by means of rides, gaming devices or bowling alleys in amusement parks, amusement arcades, water parks, theme parks or such other places but does not include a place within such facility where other services are provided.”

Authority Use – “means any use directly linked to uses related for government purposes, e.g reservoirs, prisons, offices, cemetery, school etc.”

Backyard dwelling – “Means an additional dwelling unit situated on the same erf as a dwelling or dwelling house, and which may be attached or detached to the original dwelling or dwelling house, constructed or erected using conventional building materials as approved by the municipality and which has its own sewer, water and electrical connections and is generally used for the purpose of residential accommodation by separate households or extended family members. This may include the private rental of such additional dwelling units according to conditions set out in a formal (written) or informal (verbal) agreement.”

Bed & Breakfast – “means a dwelling house or an additional dwelling unit which the occupant of the dwelling supplies lodging and breakfast for compensation to transient guests who have permanent residence elsewhere; provided that:

- the dominant use of the dwelling house concerned shall remain for the living accommodation of one family;
- the establishment does not include a guest house, a lodge and conference facilities; and

Botanical Garden – “A park intended for the display of rare indigenous or exotic plants or trees. A botanical garden includes environmental facilities, a place of refreshment, a nursery and a conference centre.”

Building Line – “means an illusory line that illustrates the furthest boundary of a building restriction area from a street, proposed street, widening of a street, or any other boundary of a property other than a street boundary and which is at a fixed distance from a boundary of the property”.

Building Restriction Area – “means an area with a uniform width, unless otherwise described in the Scheme, whereby no buildings otherwise specified in the Scheme, may be established”.

Builders Yard – “means land used by a person carrying on a building trade for the storage of materials, vehicles, machinery, or other equipment used or required for the conduct of that trade, but does not include a store or junk yard;

Bus bay – “means a designated spot on the side of a road where buses may pull out of the flow of traffic to pick up and drop off passengers”.

Bus station - “means a building where buses start and finish their journeys, or where buses that travel long distances stop to let passengers get on and off”

Bus Terminus – “A bus terminal, or terminus, is the point where a bus route starts or ends, where vehicles stop, turn or reverse, and wait before departing on their return journeys. It's also where passengers board and alight from vehicles”.

Camping Site – “Means to use the land for the erection of tents, cabins or other temporary structures for temporary lodging by travellers or holidaymakers, which:

- a) excludes the alienation of land on the basis of time sharing, sectional title ownership, the sale of block shares and the subdivision of the land concerned;
- b) includes a caravan park, whether public or privately owned;
- c) excludes a hotel or mobile homes; and
- d) may include ancillary facilities to resident guests only that are reasonable and ordinary related to camping (e.g. ablution facilities, sports facilities and tourist facilities)”.

Canteen – “means a retail trade use of which the floor area does not exceed 100 m² including storage space and is provided only on an industrial site and which is a small-scale trade incidental to the needs of the employees working on the site and will not interfere with the surrounding trades”.

Caravan Park – “an area of ground where caravans can be parked, especially by people spending their holidays in them.”

Cemetery – “means land and buildings designed or used for the burial of deceased persons and human ashes, and may include a crematorium, a wall of remembrance, a chapel and offices and storerooms for the management of the cemetery, parking and ancillary and subservient uses which the municipality deems necessary.”

Clinic – “A healthcare facility that is primarily focuses on the care of outpatients. Clinics can be privately operated or publicly managed and funded”.

Commonage – “Means land used for small-scale, subsistence farming activities to cultivate fresh produce or to raise small numbers of livestock or poultry for own consumption or resale. A commonage has a social and economic upliftment quality and will mostly, but not exclusively, represent communal agricultural land shared between various households or a community. A commonage is can also be regarded as a vacant piece of land, normally unsurveyed, that can be utilised for residential purposes and may where applicable include facilities for the informal trade of the products produced on the land”.

Communal Land – “means land under the jurisdiction of a traditional council determined in terms of Limpopo Traditional Leadership and Institutions Act 6 of 2005.

Community facility – “Means premises used for cultural activities, social meetings, gatherings, non-residential clubs, gymnasiums/ fitness centres, sports clubs or recreational or other activities where the primary aim is not to profit seeking and excludes a place of entertainment”.

Conference Facility – “means a large room/s and pieces of equipment that a hotel/lodge/bed & Breakfast provides so an organization can have conference there.”

Conservation areas - “areas of land not formally protected by law but informally protected by the current owners and/or users; and managed at least partly for biodiversity conservation in some cases”.

Container site – “means a property utilised for the storage of large containers on a temporary basis”.

Crèche – “means land and buildings or portion of a building used for the custody and care during the whole or part of the day on all or only some days of the week, for more than six children of pre-school going age and which has been registered as a place of care under the Children’s Act, 1960”.

Crematorium – “A building where the deceased are reduced to ash, and may include facilities for associated religious and administrative functions directly related to the main use, including a chapel”.

Critical Biodiversity Areas - “are sites that are required to meet biodiversity targets for ecosystems and species and need to be maintained or restored into a good ecological condition.

Crop farming – “means the planting and growing of cultivated plants that is grown on a large scale commercially, especially a cereal, fruit, or vegetable.”

Cultivation – “the act of digging into or cutting up an existing soil bed to better prepare it for planting.”

Cultural Activities – “means activities of a cultural nature practised by rural communities. These include, but not limited to, animal slaughtering, initiation ceremonies, honouring ancestors etc.”

Cultural Heritage Site – “Land identified as a protected area in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999) or any other act concerned with conserving heritage resources of cultural significance for the present community and future generations and may include places to which oral traditions are attached or which are associated with living heritage, historical settlements, landscapes and natural features of cultural or historic significance, archaeological and paleontological sites, sites with meteoric or fossil debris, sites regarded as a source of understanding of the evolution of the earth, life on earth and the history of people, graves and burial grounds, sites relating to the history of South Africa and any building, object or art form regarded as of cultural or historic significance.

Day Care Centre/facility – “The use of a portion of a dwelling house, second dwelling unit, residential building or outbuilding, by an occupant, to provide day care, pre-school, play group or after school services for a limited number of children, excluding a crèche/nursery school”.

Dormitory Establishment – “means the business of making tourism accommodation available that is conducted from a purpose-built dormitory facility of a residential nature other than for living accommodation purposes, which:

- a) involves making meals and services available to resident guests only;
- b) may include activities reasonable and ordinary related to a dormitory establishment such as sports facilities;
- c) includes a youth hostel and backpacker lodge;
- d) excludes a building for lodging purposes such as an old-age home, children’s home, hostel, boarding house, residential rooms or a hotel.

Duet Dwelling – “Duet homes comprise of two houses attached to each other and sharing a common wall, erected on one erf”.

Dwelling House – “A single, free-standing dwelling unit on a property”.

Dwelling Unit/s – “means any room or group of rooms located within a structure and forming a single habitable unit with facilities which are used, or are intended to be used, for living, sleeping, cooking and eating.”

Early Childhood Development Centre – “means any building or premises used for the care of more than six (6) children and includes a playgroup, crèche, aftercare, pre-school, nursery school, educare or similar facility.”

Ecological Support Areas – “are areas that are important for supporting the ecological functioning of CBAs and protected areas, allow for ecological connectivity and for the delivering of ecosystem services. This category has also been split into ESA1s and ESA2s on the basis of ecological condition”.

Educational Purposes – “means purposes normally or otherwise reasonably associated with the use of land primarily for instruction or teaching purposes, including crèches, schools, lecture halls, monasteries, public libraries, art galleries, museums, colleges and universities.”

Electrical Purposes – “means land used or a building designed or used for the purposes of electricity services and more specifically for the purpose of Eskom, provided that any other institution that supplies a similar or complimentary service can be accommodated on the erf or building with the special consent of the Municipality.”

Factory – “a factory as defined in the Act on Machinery and Professional Safety (Act No. 6 of 1983) or any amendment thereof”.

Farm stall – “A temporary or permanent building, located on a farm, where a farmer sells fresh produce and products produced and processed on the same farm to the general public, including the sale and display of arts and crafts. A farm stall may include the sale of convenience goods and a place of refreshment subservient to the main use.”

Filling station – “A property and the buildings thereon designed or used exclusively for the purposes of fuelling, washing, polishing and lubricating motor vehicles and may include a convenience shop, the size of which may be restricted by the Municipality. An automatic teller machine (ATM) shall be regarded as part of a convenience shop. A filling station may include a separate car wash facility, but does not include a motor sales market, workshops, panel beating or spray-painting facilities”.

Fuelling Facility – “A private facility, not available to the public, for the storage and dispensing of fuel to vehicles.”

Funeral Parlour – “A property or building where the deceased are prepared for burial or cremation and includes facilities for associated administrative and religious functions, cold storage facilities for preparation for burial, as well as the sale of funeral related articles and products, but excludes a mortuary and crematorium.”

Flats – “means a building containing three or more dwelling units for human habitation, together with such outbuildings as are ordinarily used therewith; provided that in those zones where flats are permissible, fewer than three dwelling units will also be permissible, whether or not with the special consent of the Council, as the case may be, in a building approved for other purposes than for flats”.

Forestry – “means the management of forests which include a natural forest, a woodland and a plantation, the forest produce in it; and the ecosystems which it makes up including the management of land which is not treed but which forms part of a forest management unit.”

Game Farm – “means land used for the rearing and/or breeding of wild animals with or without ancillary building(s) thereto”.

Government Purposes – “Land or buildings thereon used for government purposes in the interest of the general public, including military establishments, police stations, magistrate’s courts and prisons, including the related administrative or office function.”

Government Offices – “means a type of office where a form of unity government public service employees work.”

Granny Flat – “An additional dwelling unit which may be erected on a “Residential 1” erf in addition to the main dwelling, with the proviso that if a second dwelling unit has already been erected, no granny flat shall be permitted, and vice versa”.

Guest house – “a residential enterprise which can be conducted from rooms, without a kitchen of its own or a dwelling unit and which forms part of a permanently occupied dwelling unit, used for the accommodation of visitors on a temporary basis, subject to such requirements laid down by the municipality, provided that:

- a) the dominant use of the property shall remain residential, and the dominant use shall be calculated solely on the number of bedrooms (excluding lounge, dining, kitchen and living room areas);
- b) the owner or occupant of the dwelling unit shall reside on the property and shall also conduct the residential enterprise;
- c) the use shall not interfere with the amenity of the neighbourhood;
- d) the preparation and serving of food and meals shall be restricted to the inhabitants of the dwelling unit and guest house only.
- e) provision made for conference facilities is approved by the municipality

Guest Lodge – “means a building with not more than one kitchen, used for the overnight accommodation of transient, temporary paying guests.”

Group Housing – “means a group of detached and / or attached dwelling units on a stand or stands that form an integrated, harmonious and architectural unit and include concepts like group housing, townhouses, simplexes, duplexes and all such development, but excludes uses included in the definition of “Dwelling House.”

Gymnasium – “A building used for physical training and exercise with or without apparatus and may include swimming pools, squash courts and other sporting activities, administrative offices, steam baths, Turkish baths, sauna’s, and a single place of refreshment for patrons only not exceeding 100m², as well as a childcare/play facility restricted for use by gymnasium members whilst exercising in the gymnasium”.

Heavy vehicle parking depot – “A property or building thereon used only for the temporary storage or ad hoc parking of heavy duty vehicles, long-haul vehicles, trucks, busses and road construction or maintenance vehicles. A heavy vehicle parking depot does not include a fuelling facility or a workshop for the servicing or maintenance of any vehicles”.

Helipad/Heliport – “Land and/or a facility specifically designed and used for the landing and take-off of rotary wing aircraft and any associated aircraft storage or repair facilities”.

High density residential – “means the High Density Residential designed to provide for apartments, multiple-family dwellings, dwelling groups, and supporting uses and to be utilized in appropriate locations within the areas designated high-medium density residential”

Home Occupation – “a small-scale enterprise which is used by the occupant of a dwelling unit for the conducting of a practice or occupation with the aim of deriving income therefrom and which is practiced by a maximum of three (3) persons, of which at least one is a full time resident of the property subject to such requirements imposed by the municipality and subject to the policy of the municipality as amended from time to time provided that –

- a) the dominant use of the property shall remain residential;
- b) the business shall not exceed a floor area of 40m²;
- c) the comments from surrounding owners be obtained;
- d) the business shall not be noxious; and
- e) the business shall not interfere with the amenity of the neighbourhood;
- f) sufficient parking is available as stipulated in terms of this Scheme
- g) no title condition applicable to the property may be transgressed”.

Hotel – “means a building complying with the provisions of the Hotels Act, 1965 (Act 70 of 1965) as amended, and is used as a temporary residence for transient guests, which use exceeds the restrictions of a guest house/ lodge where personal services, lodging and meals are provided and may include activities reasonably and ordinary related to a hotel, including conference facilities, place of refreshment, tourist facilities, sport and recreation facilities, banquet hall, spa / hydro and wellness centre, and in respect of which a hotel liquor license has been, or is intended to be, issued under the Liquor Act, 1989 (Act No. 27 of 1989), as amended, but excludes any off-sales facilities”.

Hospital – “means land and buildings used for the accommodation and care of sick or injured persons or persons needing specialised medical treatment or operations and may include operating theatres, x-ray rooms, and ancillary and subservient uses such as a cafeteria, dispensing chemist, shop, and offices and consulting rooms directly related to the hospital”.

Industry – “A property or building used as a factory and where an article or part of such article is made, manufactured, produced, built, assembled, compiled, printed, ornamented, processed, treated, adapted, repaired, renovated, rebuilt, altered, painted (including spray painting under controlled conditions), polished, finished, cleaned, dyed, washed, broken-up, disassembled, sorted, packed, chilled, frozen or stored in cold storage, and includes a light industry, offices, caretaker’s

quarters or any other use which are subservient and ancillary to the main use of the property as an industry, but does not include a noxious industry”.

Industrial purposes – “means purposes normally or otherwise reasonably associated with the use of land for the manufacture, altering, repairing, assembling or processing of a product, or the dismantling or breaking up of a product, or the processing of raw materials, including a noxious activity.”

Institution or Institutional Use – “Means purposes normally or otherwise reasonably associated with the use of land for charitable institutions, hospitals, nursing homes, old-age homes, clinics and sanatoriums, either public or private”.

Jail/Prison – “A building used for the confinement of persons convicted and sentenced to imprisonment by a court of law or the confinement of persons awaiting trial”.

Landing strip – “means a long flat area of ground that is used by aircraft with wings when taking off and landing.”

Light industry - “Industries that are usually less capital-intensive than heavy industry and is more consumer orientated than business orientated, as it typically produces smaller consumer goods”.

Lodge – “means land and buildings used for accommodating guests or tourists for short periods and may include recreation facilities, conference facilities, wedding chapel, staff quarters and ancillary and subservient uses”.

Manufacturing – “any industry that makes products from raw materials by the use of manual labour or machinery and that is usually carried out systematically with a division of labour”.

Military Base – “A facility directly operated by the military or one of its branches that shelters military equipment and personnel, and facilities training and operations.”

Mining – “means land and buildings, that under the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) and any amendments thereof, are used or designated for mining and/or exploitation of minerals, or for which purpose a permit has been issued under the fore-mentioned Act”.

Mining Activities – “means activities linked to the extraction and beneficiation for raw materials extracted from the earth. These may also include the crushing and the separation of ore into valuable substances or waste by any of a variety of techniques.”

Mortuary – “means a building designed and equipped specifically for the cold storage of the dead and may include facilities required for the conducting of a post-mortem.”

Municipal area – “means the Blouberg Local Municipality’s area of jurisdiction.”

Municipal Purpose – “means such purposes as the Municipality may be authorised to carry out in terms of any law governing municipalities including but not limited to the Local Government Municipal Structures, 1998 (Act No. 117 of 1998) and the Local Government Municipal Systems Act, 2000, (Act No. 32 of 2000).”

Nature Reserve – “means a national park (whether publicly or privately owned or controlled) or that has been declared as a nature park or reserve in terms of legislation (e.g. national parks, protected natural environments, forests) and includes:

- a) an area that is used as a game park or reserve for fauna or flora in their natural habitat;

- b) buildings that are reasonably connected with the management of a nature reserve, inclusive of facilities for day visitors; and
- c) may include accommodation and tourist facilities with the consent of council.

Non-conforming use – “means an existing land use that was lawful in terms of a previous land use scheme but that does not comply with this land use scheme”.

Noxious use – “means an industry or trade which is dangerous or troublesome to the broad public in council’s opinion, or which has a disturbing effect on the environment, whether it is due to smell, smoke, noise, flow-off, dust or solid waste and includes the following activities: panel beating, spray painting, blood boiling, bone boiling, tallow melting, fat melting or extracting, soap boiling, tripe boiling or cleaning, skin storing, bone storing, fellmongering, skin curing, blood drying, gut scraping, leather dressing, tanning, glue making, size making, charcoal burning, brick burning, lime burning, manure making, manure storing, parchment making, malt making, yeast making, cement works, coke ovens, salt glazing, sintering of sulphur bearing materials, viscose works, smelting of ores and minerals, calcining, puddling and rolling of iron and other metals, conversion of pig iron into wrought iron, reheating, annealing, hardening, forging, converting and carburising iron and other metals, works for the production of, or which employ, carbon bisulphide, cellulose lacquers, cyanogen or its compounds, hot pitch of bitumen, pulverised fuel, pyridine, liquid or gaseous sulphur dioxide and sulphur chlorides, works for the production of amyl-acetate, aromatic ethers, butyric acid, caramel, enamelled wire, glass, hexamine, iodoform, lampblack, B-naphthol, resin products, salicylic acid, sulphonated organic compounds, sulphur dyes, ultramarine, zinc chloride and zinc oxide and oil refining and works dealing with the processing or refining of petrol or oil or their product”.

Nursery – “Means a business where plants or seeds are cultivated, grown and sold”.

Office/s – “means land and building used or designed to be used for administrative, clerical or professional usages and includes banks, insurance companies, building societies, micro lenders and subservient and ancillary uses such as, inter alia, parking and cafeteria but excludes medical consulting rooms”.

Land – “means any erf, agricultural holding, sectional title land or farm portion and includes any improvement on land and any interest in land.”

Laboratory – “means a facility that provides controlled conditions in which scientific research, experiments and measurements are performed. The level of hazardousness is determined by the presence of poisons, infectious agents, flammable or explosive substances, radio-active materials, moving machinery, extreme temperatures and high voltages”.

Panel beating – “the replacement, reparation and/or panel beating of the body and spare parts of vehicles and/or the spray-painting thereof”.

Parking garage – “Land used or a building designed or used exclusively for the temporary parking of motor vehicles not being for trade or sale”.

Perishable foodstuffs – “means any foodstuff or category of foodstuffs declared by a Premier by notice in the Official Gazette to be a perishable foodstuff in the Province concerned for the purposes of this item. Perishable foods are those likely to spoil, decay or become unsafe to consume if not kept refrigerated at a certain temperature”.

Place of Assembly – “means a public hall, theatre, cinema, music hall, concert hall, dance hall, open-air theatre, drive-in theatre, music bowl or any other building of a like character used as such and whether used for the purposes of gain or not, but does not include a place of public worship, an institution or an educational establishment.”

Place of Education – “A building designed for use or used as a school, college, technical college, university, lecture hall, research institution, convent, library, art gallery, museum or other centre of education, including pre-primary school facilities and hostels directly related and ancillary to the educational facility. A place of education includes a canteen.”

Place of Entertainment or Place of Amusement – “means a commercial enterprise for the use of a multi-purpose facility for the purpose of sport, recreation, entertainment and the licensed provision of gambling activities and alcoholic beverages may include uses such as a place of refreshment, tavern, bar, theatre, cinema, art gallery, trade or industrial exhibition, music hall, concert hall, dance hall, discotheque, amusement park, sports centre, billiard-room, skating rink, race track, private club, machine-games or similar uses, as well as an ancillary children’s play area, but excludes adult entertainment business”.

Place of instruction – “means a building designed for use or used as a school, college, technical college, lecture hall, institute, or other educational centre and may include a cafeteria, crèche, convent or monastery, public library, art gallery, museum, conference facilities and gymnasium”.

Places of refreshment – “includes a confectionary, restaurant, fish fryer, drive-thru-restaurant, tearoom or coffee-shop and means a building which is not a hotel, residential club, drive-in restaurant, or boarding house, but which is designed and used for the preparation or the retail sale of meals, refreshments, as well as the retail sale of fresh produce, mineral waters, tobacco, reading material and sweets”.

Place of worship – “means land or building designed for use, or used as a church, chapel, oratory, house of worship, synagogue, temple, mosque, or other place of public devotion, and includes a building designed and used as a place of religious instruction or an institution on the same property as and associated with any of the foregoing buildings which is intended to be used for social intercourse and recreation and may include a parsonage, funeral chapel and a wall remembrance subject to approval of the municipality but shall not include a funeral parlour”.

Playgroup – “a regular meeting of a group of preschool children at a particular place, organized by parents for their children to take part in supervised creative and social play.”

Private Club – “means a development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, athletic, business or fraternal organization, without on-site residences.”

Private Open Space – “means land zoned for use as private grounds for sport, play, rest, and recreation area or as an ornamental garden to which the general public will have no admission, except with consent”.

Private street - “means land and/or buildings or a part thereof, which is used for parking of motor vehicles under the control of a private individual or agency”.

Protected Areas - “declared and formally protected under the Protected Areas Act, and include National Parks, legally declared Nature Reserves, World Heritage Sites and Protected Environments that are secured by appropriate legal mechanisms.

Protected Agricultural Areas - “cartographic delineated area of agricultural land, preserved for purposes of ensuring high value agricultural land is protected against non- agricultural land uses in order to promote long-term agricultural production and food security”.

Public Garden – “means an institution that maintains collections of plants for the purposes of public education and enjoyment, in addition to research, conservation, and higher learning”.

Public Garage – “means Land and building(s) used for gain or reward for any one of the following purposes:

- a) Storage and retail selling of motor fuel and lubricants;
- b) All ancillary uses, including the parking and storing of motor vehicles; the sale of spare parts and accessories, car wash facilities; a convenience shop which the size of which may be restricted by the Municipality, whichever is the lesser; a take-away or sitting down facility and automatic bank teller machines;
- c) Maintenance and repair of vehicles excluding panel beating and spray-painting activities.

Public Open Space – “means any land zoned for use by the public as an open space, and includes a park, garden, playground, recreation park or square to which the general public has right of access”.

Public road/street – “means any road or street for public use or any land intended for such purposes”.

Public Parking – “means land or a building or part thereof that is accessible to the general public for parking purposes”.

Railway purposes – “means land used or a building designed or used for the purposes of railway or road transport services and more specifically for the purpose of spoornet, with the reservation that other institutions that supplies a similar or complimentary service can be accommodated on the land or building with the consent of the municipality”.

Recreation Facility – “means a public building and grounds for community entertainment, relaxation, social activity and other leisure needs.”

Recreation purposes – “means a land use which is aimed at providing recreation or entertainment to the public but which does not fall under the definition of “nature area”, “open space”, “resort” or “sports ground”, and includes a squash court or other indoor sports centre, theatre, cinema, amusement park, skating rink or discotheque.”

Renewable Energy – “means infrastructure or land for the energy that is collected from resources which are naturally replenished on a human schedule, such as sunlight, wind, rain, waves and heat”.

Retail service – “means the use of a building or part of a building by persons who are engaged in the sale of goods to customers, and includes uses such as hardware, mail order, clothing, appliances, electronics, books, gifts and second hand goods.”

Retirement Village – “A residential development intended for the accommodation or settlement of persons upon their retirement and which may include a frail care centre, place of communal activity, office building, medical suites, launderette, shop and restaurant and other ancillary and subordinate uses, for the sole use of occupants and guests”.

Reservoir – “means land and buildings designed for the storage of water and pumping equipment and may include toilets, storerooms, lapa with braai facilities and ancillary and subservient municipal uses.”

Residential Building – “means a building on an erf or site, excluding a dwelling house and/or dwelling unit, that contains habitable rooms, with common ablution, kitchen, dining and/or lounge facilities. Such definition includes but is not restricted to hostels, hotels, dormitories, communes, boarding houses, guest houses (excluding converted dwelling houses and/or dwelling units), bed and breakfast and old age homes that may or may not include ancillary frail care facilities.”

Restaurant – “means land and/or buildings or a part thereof used for the preparation and sale of food or drink, whether or not consumed on the site, and may include inter alia a drive-thru restaurant, confectionary, and a bar as well as an ancillary children’s play area subject to consent of the municipality; but excludes a place of entertainment and any activity which, in

the council's opinion, may cause public nuisance; and shall be subject to a licence in terms of the business act, 1991 (act 71 of 1991)."

Resort – "a place of rest, holiday place, tenting or camping ground, caravan park, game park, pleasure resort or picnic spot intended for public recreation with the view to profit or gain and includes a place of refreshment and other buildings normally related and appurtenant to such a resort, as approved by the municipality, provided that no facility within the resort shall be occupied by any person for a period exceeding 2 months within a period of twelve (12) months, except with the consent of the municipality".

Rights – "means land use rights obtained in terms of this Scheme."

Riding Stables – "A place or undertaking for the leasing of horses and/or riding instruction against payment, and includes the care and stabling of such horses."

Rural Settlement – "A rural settlement can comprise of the following:

- **Formal Rural Settlement:** Means a settlement, which is planned and surveyed with a General Plan. A formal rural settlement can be handled in the same manner as a proclaimed township.
- **Semi-Formal Rural Settlement:** Means a settlement situated either on private, tribal or state land. The settlement is planned and surveyed, however no General Plan exists. A communal property association or tribal authority or local municipality does management.
- **Informal Rural Settlement:** Means a settlement situated either on private, tribal or state land.

Road Reserve – "means the designated area of land that contains a public street or private road (including the road and associated verge), which land may or may not be defined by cadastral boundaries."

Second Dwelling Unit – "Another dwelling unit which may, in terms of this zoning scheme, be erected on a land unit where a dwelling house is also permitted; and such second dwelling may be a separate structure or attached to an outbuilding or may be contained in the same structure as the dwelling house; provided that:

- a) the second dwelling shall remain on the same land unit as the dwelling house; and
- b) the second dwelling shall comply with the requirements specified in this zoning scheme."

Semi-Detached Unit – "means a single-family dwelling house built as one of a pair that share one common wall".

Servitude – "means a registered right that grants the use of a portion of land for specified purposes."

Scrapyard – "means a building or land, which is used for one or more of the following purposes;

- a) the storing, stacking, 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 whether or not intended for the purpose of disposal or recycling of such waste;
- b) the dismantling or demolition of second-hand vehicles that have been written off or machines to recover components or material; and
- c) the storing or sale of second-hand pipes, poles, steel sections, wire, lumber, tyres, bricks, containers, scrap machinery or other articles which are suitable to be left in the open without any serious damage being incurred".

Sewerage Works – “means land and buildings designed or used for the treatment and purification of sewerage and may include ancillary offices and storerooms and ancillary and subservient uses deemed necessary by the Municipality.”

Shelter – “means a unit of accommodation intended for human occupation, constructed of any material whatsoever, even though such material does not comply with the standards of durability intended by the National Building Regulations, as applicable to the area of jurisdiction”.

Shops – “means a building designed and used for retail trade and includes any other ancillary use on the same property which, in the opinion of the Local Municipality, is reconcilable with the surrounding land use and which is subordinate to retail business on the property”.

Shopping Complex – “a group of stores within a single architectural plan, supplying most of the basic shopping needs, especially in suburban areas”.

Showgrounds – “A showground is a large area of land where events such as farming shows or horse riding competitions are held.”

Small Scale Farming – “refers to the production of crops and livestock on a small piece of land without using advanced and expensive technologies. Farming on family pieces of land, traditional or communal land and smallholdings on the periphery of urban areas, fall within this category. This farming style is characterised by intensive labour, animal traction, limited use of agricultural chemicals and supply to the local or surrounding markets”.

Spaza Shop/Tuck Shop – “means a shop of a maximum gross floor area of 20m² on a residential property only selling daily convenience goods and prepared and pre-wrapped food, excluding the sale of alcoholic beverages and excluding the cooking of food and which shall not provide table games or electronic games”.

Spa/Hydro and Wellness Centre – “means a purpose built building for human relaxation and body regeneration by making use of facilities such as pools, baths, sauna’s, where treatment is provided by professional practitioners”.

Sports facilities – “means land planned, designed and used for sports activities, whether indoors or outdoors”.

Sports ground – “means land which is utilised for the practising of outdoor sports and includes only improvements ancillary to the practising of outdoor sport”.

Sport and recreational grounds – “an area of public land that is used for sports and outdoor activities.”

Social Hall – “a building designed for use, or used for cultural activities, social meetings, gatherings and recreational purposes, that is not profit seeking in its primary purpose, and includes a non-residential/private club but excludes a place of amusement.”

Solar Plant – “A solar power plant is any type of facility that converts sunlight either directly, like photovoltaics, or indirectly, like solar thermal plants, into electricity”.

Storerooms – “a room in which supplies or other articles are stored.”

Storage Yard – “means the use of land to store material or equipment and any structures associated with the outdoor storage. This use includes the storage of bulk materials and large equipment”.

Substation – “means a structure erected with the primary function of distributing electricity, water and sewerage.”

Supermarket – “A shop, in which a range of goods, including foodstuff and household goods, is offered for sale on a predominantly self-service basis.”

Tavern – “means a residential building or dwelling unit or part thereof constructed, designed or adapted for use for social gatherings and for the consumption of liquor on the premises and may include the consumption of non-alcoholic beverages and the preparation and consumption of food, but shall not include any off-sale activity, provided that the dominant use shall remain residential for the occupant of the said dwelling unit and subject to the consent of the municipality and compliance of applicable health and safety laws”.

Taxi rank – “means a place at which mini busses (taxis) and busses are allowed to wait and / or stop for passengers boarding or alighting”.

Telecommunication Centre – “means land and buildings used for telecommunication and includes cell phone masts and the base station, satellite dish antennas, antennas and electronic equipment.”

Telecommunication Mast – “means a self-supporting lattice, guyed or monopole support structure constructed from grade which supports telecommunication facilities”.

Tourist Facilities – “means land or a building used for tourists or day visitors such as a teagarden, farm shop, touch farm, game viewing facilities, gift shop, outdoor activity, restaurant, spa/hydro and wellness centre or a rest room on a scale and combination of uses as determined by the council for the tourist or day visitor industry, fitting with the character of the surrounding area, but does not include overnight accommodation facilities”.

Town House/s – “means a group of separate and/or linked dwelling units:

- a) which are planned, designed and built as a harmonious architectural entity with a number of unit types;
- b) which are arranged in a varied and orderly fashion within or around a communal open space and with public and/or private access road;
- c) with a medium-density character;
- d) with structures which may vary between single- and double storeys and cadastral subdivided or not;
- e) of which every single residential unit has a ground floor;

Traditional Healing Practices – “Refers to health practices, approaches, knowledge and beliefs incorporating First Nations healing and wellness while using ceremonies; plant, animal or mineral-based medicines; energetic therapies; or physical/hands on techniques”.

Transport Purposes – “means purposes normally or otherwise reasonably associated with the use of land primarily as a point for the pick-up or offload of people or goods, including taxi ranks, bus bays, bus stations, bus terminuses, railway stations and ancillary uses, including roads and streets”.

Transmission Tower – “means a structure or facility external to a building, incorporating a high mast, antennae or dish for the transmission and/or receiving of radio, television, radar, cellular or micro waves, but includes a base station and equipment room”.

Tribal Office – “means a building that is used by the traditional council for office related uses.”

Truck Stop – “means a facility with direct access from a freeway or major transport route which is the ideal one stop solution for transporters requirements for their trucks, loads and drivers including fuel, catering, hygiene facilities and safe parking

areas. Drivers have the use of clean ablution, shower and clothes washing facilities, braai areas and a take-away shop serving healthy and traditional meals”.

Urban Agriculture – “Land used for the cultivation of crops and raising of small numbers of livestock, on relatively small areas within urban areas, for own consumption or sale in neighbouring markets. Urban agriculture includes commonages.”

Utility Services – “means cable, electric, natural gas, telephone, telecommunication, water, and wastewater treatment services and includes but is not limited to the improvement, installation, maintenance, relocation, or repair of cables, fibers, pipes, utility poles, utility structures, wires, and associated right-of-way and other infrastructure associated with such services.”

Veterinary Clinic – “A building or part thereof wherein animals of all kinds are treated or kept for treatment by a registered veterinarian, including temporary boarding facilities for treated animals and related retail, but excludes an animal refuge.”

Wall of Remembrance – “means a structure where containers with the ashes of the deceased are interred in openings or niches in the structure and thereafter sealed and/or on which appropriate commemorative plaque can be attached.”

Wind farm – “A wind farm is a place where windmills are used to convert the power of the wind into electricity”.

Workshop – “means a room or building in which goods are manufactured or repaired.”

Zoological garden – “means a park where wild or farm animals, reptiles, fish or birds are kept and exhibited for public education and amusement or ancillary rehabilitation and may include other associated ancillary facilities”.

CHAPTER 3: DEVELOPMENT POLICY - USE OF LAND AND BUILDINGS

3.1 GENERAL CONDITIONS (ALL PROPERTIES)

3.1.1 ZONING

3.1.1.1 All properties within the area of the Scheme have been allocated a zone indicated on the Scheme Map.

3.1.1.2 A property may be zoned as follows:

- a) With a single zoning;
- b) With split zoning;
- c) With an overlay zoning over and above the zoning referred in (a) and (b)

3.1.2 CATEGORIES OF USES



3.1.2.1 Permitted Uses

3.1.2.1.1 The use of land or buildings for a purpose which is stipulated as a permitted use in a relevant use zone is permissible without any approval from the Municipality.

3.1.2.1.2 No person shall use or cause or permit any building or portion thereof to be used for a purpose other than that of which it has been erected unless the necessary consent of the municipality has been obtained thereof.

3.1.2.2 Special Consent Uses

- a) Special consent use as listed under a relevant use zone in the Scheme is permitted subject to certain conditions if the Municipality grants such approval.

3.1.2.3 Written Consent Uses

- a) Written consent use as listed under a relevant use zone in the Scheme is permitted with the written consent of the Municipality.

3.1.2.4 Prohibited Uses

- a) Subject to any provisions to the contrary in the Act, land or buildings subject to this Scheme shall not be used for any purpose which is not specified in this Scheme.

3.2 GENERAL CONDITIONS (RURAL INCREMENTAL ZONES)




- 3.2.1 The zone makes provision for the incremental introduction of land use management and regulation in rural areas and areas under the administration of traditional leaders.
- 3.2.2 This scheme takes the approach that traditional authorities in Blouberg Local Municipality have exercised a land use function in the past through the allocation of land.
- 3.2.3 The zone includes the agreement between the Traditional Leaders, Community and Local Municipality on the following matters;
 - 3.2.3.1 The Municipal Spatial Development Framework for the area
 - 3.2.3.2 Tenure upgrading and formalisation of informal settlements
 - 3.2.3.3 The layout of the settlement providing erven within the zone and the land use rights applicable to the erven.
- 3.2.4 The general conditions as per section 3.1 are applicable to this zone, however;
 - 3.2.4.1 This zone makes provision for a more flexible approach to land use management.
 - 3.2.4.2 Certain land uses still require formal management and environmental authorisation (e.g. a filling station).
 - 3.2.4.3 The procedures and requirements for land use applications in Rural Areas are set out in section 10.5.2.
- 3.2.5 The registered owner of an erf or property, abutting a Provincial and/or a National Road shall erect a physical barrier or a barrier of such other material, as may be approved by the relevant Controlling Authority and/or Municipality, in accordance with the standards laid down by the relevant Controlling Authority and/or Municipality, before or during the development of the property along the boundary of the property abutting the National and/or Provincial Road and shall maintain such physical barrier to the satisfaction of the relevant Controlling Authority and/or Municipality.

3.3 LAND USE ZONES

3.3.1 The municipal area is divided into the following zones:








Table 2: Land Use Zones


ZONING	NOTATION	PURPOSE
3.3.1.1 Aerodrome		Supports air transport service operations including, but not limited to, aircraft repair and maintenance, flight instruction etc.
3.3.1.2 Agriculture		Supports optimal and sustainable usage of agricultural land, while protecting valuable agricultural land.
3.3.1.3 Agri-Ruralism		Linking farmland preservation with developmental plans to reduce farmland conversion while sustainably developing the landscape
3.3.1.4 Business 1		Supports retail sale of goods and services to the public
3.3.1.5 Business 2		Supports intensive business and mixed-use development
3.3.1.6 Cemetery		Supports cemeteries & burial services
3.3.1.7 Commonage		Supports integrated, safe and sustainable environments for all communities.
3.3.1.8 Conservation		Supports measures for the protection of areas deemed for conservation purposes
3.3.1.9 Educational		Supports uses for educational purposes
3.3.1.10 Government		Supports uses supplied or used for government purposes
3.3.1.11 Industrial 1		Supports industry uses and service trades that may be carried out without nuisance to other properties or the general public.
3.3.1.12 Industrial 2		Supports all forms of industry, except noxious trade and risk activity, in order to promote the manufacturing sector of the economy.
3.3.1.13 Industrial 3		Supports industries that are noxious in terms of smell, product, waste or other objectionable consequence of their operation.
3.3.1.14 Institutional		Supports accessible social and civic facilities to meet the needs of communities in the fields of health, social and cultural services
3.3.1.15 Mining & Quarrying		Supports extraction of minerals and raw materials and associated business operations in accordance with environmental legislation and authorisation.
3.3.1.16 Municipal		Identification and reservation of suitable land for service delivery and municipal purposes development.
3.3.1.17 Private Open Space		Supports active and passive recreational areas on private land, in order to promote recreation, and enhance the appearance of an area.
3.3.1.18 Public Service Infrastructure		Reserves land for uses such as electrical substations or reservoirs.
3.3.1.19 Public Open Space		Supports all active and passive recreational areas on public land, in order to promote recreation, and enhance the appearance of an area.
3.3.1.20 Renewable Energy		Supports uses associated with the sourcing of renewable resources
3.3.1.21 Residential 1		Supports land for residential purposes at a low density
3.3.1.22 Residential 2		Supports land for residential purposes at a medium density
3.3.1.23 Residential 3		Supports land for residential purposes at a high density.
3.3.1.24 Mixed-Use Rural Development		Supports adequate land for residential purposes for rural communities
3.3.1.25 Transportation		Reserves land for transportation systems
3.3.1.26 Tourism & Accommodation		Supports tourist and holiday facilities in areas with special environmental or recreational attributes
3.3.1.27 Undetermined		Enable the Municipality to defer a decision regarding specific land use and development management provisions.

ZONING: AERODROME (CODE: AD)			NOTATION 	SYMBOL FILL R: 255 G: 255 B: 255	RGB FILL R: 110 G: 110 B: 110	RGB FILL R: 204 G: 204 B: 204	
ZONING INTENT: ★ Supports air transport service operations including, but not limited to, aircraft repair and maintenance, flight instruction etc.							
LAND & BUILDING USAGE							
PERMITTED USES:		SPECIAL CONSENT USES:		WRITTEN CONSENT:		PROHIBITED USES:	
Aerodrome & purposes such as bus bay, container site, bus station, heavy vehicle parking depot, helipad, heliport, parking garage, private street, public road, railway purposes, taxi rank, Tuck Shop, storerooms, offices, shops, places of refreshment directly related and subordinate to the aerodrome.		Such uses as may be approved by the Local Municipality		Such uses as may be approved by the Local Municipality		Any use not mentioned under Permitted, Special or Written Consent.	
DEVELOPMENT CONTROLS							
BUILDING LINES			MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER
STREET	SIDE	REAR					
As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality
OTHER REGULATIONS				PARKING AND LOADING REQUIREMENTS			
✍ Subject to the Civil Aviation Act (Act No. 13 of 2009) and approvals ✍ Any application which may be subject to compliance with the requirements of the National Heritage Resource Act, 1999 (Act No. 25 of 1999).				Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements			

ZONING: AGRICULTURE (CODE: A)			NOTATION	RGB FILL LINE	RGB FILL		
			<div></div>	R: 92 G: 137 B: 68	R: 227 G: 255 B: 190		
ZONING INTENT:							
<div><div>★</div>To ensure that land deemed to have high agricultural potential is optimally used and Protected.</div> <div><div>★</div>To utilize agricultural land on a sustainable basis.</div> <div><div>★</div>To ensure that agricultural practises are consistent with environmental considerations and pollution controls.</div>							
LAND & BUILDING USAGE							
PERMITTED USES:		SPECIAL CONSENT USES:		WRITTEN CONSENT:			
Agriculture, Agricultural Use, Forestry, Intensive Farming, Small Scale Farming.		Agricultural Industry, Airfield, Conference Facility, Crèche, Guest House/Lodge, Nursery, Restaurant, Recreation and Tourism, Tourist Facility, Renewable energy. Place of Assembly, Helipad, Riding Stables, Heliport, Landing Strip, Place of Instruction, Place of Worship. Prospecting & Mining activities < 5 years (Permit).		Authority Use, Day Care Facility, Home Occupation. Agri-Village/Farm worker housing, Farm stall.			
				PROHIBITED USES:			
				Any use not mentioned under Permitted, Special or Written Consent.			
DEVELOPMENT CONTROLS							
BUILDING LINES			MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER
STREET (m)	SIDE (m)	REAR (m)					
100	50	50	As approved by the Local Municipality.	2 storeys	20%	As approved by the Local Municipality.	As approved by the Local Municipality.
OTHER REGULATIONS				PARKING AND LOADING REQUIREMENTS			
<div><div></div>There must be compliance with National and Provincial environmental legislation.</div> <div><div></div>Title conditions on farmland shall be applicable.</div> <div><div></div>There must be compliance with the National Environmental Management: Air quality Act, 2004 (Act no. 39 of 2004).</div> <div><div></div>There must be compliance with the National Environmental Management: Waste Act, 2008 (Act no. 59 of 2008).</div> <div><div></div>All land within this zone is subject to regulation in terms of the Subdivision of Agricultural Land Act, 1970, (Act No. 70 of 1970) unless such land is excluded from the act.</div> <div><div></div>A mining right, mining permit, exploration right or production right may be required in terms of the Mineral and Petroleum Resources Development Act, 2002, (Act No. 28 of 2002).</div> <div><div></div>Mining activities can only take place if there is a 5-year permit issued.</div> <div><div></div>Any application which may be subject to compliance with the requirements of the National Heritage Resource Act, 1999 (Act No. 25 of 1999).</div> <div><div></div>A water use licence/authorisation may be required in terms of the National Water Act, 1998, (Act No. 36 of 1998).</div>				<div>Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements</div>			

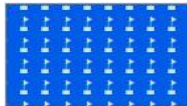



ZONING: BUSINESS 1 (CODE: B1)			NOTATION	RGB FILL LINE	RGB FILL		
				R: 115 G: 0 B: 0	R: 255 G: 0 B: 0		
ZONING INTENT:							
<div><div>★</div><div>The objective of this zone is to provide for the retail sale of goods and services to the public, and</div></div> <div><div>★</div><div>To provide for intensive business and mixed-use development with relatively few restrictions in order to promote urban vitality and economic growth.</div></div>							
LAND & BUILDING USAGE							
PERMITTED USES:		SPECIAL CONSENT USES:		WRITTEN CONSENT:			
Adult Entertainment Business, Auction Centre, Bakery, Bed & Breakfast, Business Premises, Cafeteria, Canteen, Car Wash, Community Facility, Confectioner, Container Site, Dispensing Chemist, Drive-Thru Restaurant, Dry Cleaner, Factory Shop, Farm Stall, Funeral Parlour, Gaming Establishment, Garden Centre, Garden Service Establishment, Home Enterprise, Laundrette, Informal Business, Kiosk, Medical Consulting Rooms, Medical Suites, Nursery, Office, Place of refreshment, Private Club, Restaurant, Retail Shop, Service Industry, Service Retail, Service Trade, Shop, Showrooms, Take-Away, Teagarden, Tuck / Spaza Shop,		Agricultural Industry, Bank, Bulk Retail Trade, Conference Centre / Facility, Distribution Centre, Liquor Enterprise, Guest House, Guest Lodge, Industrial, Industrial Use, Light Industry, Lodge, Motel, Residential Hotel, Motor Trade, Vehicle Sales Market, Overnight Accommodation, Public Garage, Place Of Worship, Place Of Instruction, Social Hall, Dry Cleaner, Place Of Amusement, Parking Garage, Special Use, Tavern & Wholesale Trade		Dwelling units with or without outbuildings			
				PROHIBITED USES:			
				Any use not mentioned under Permitted, Special or Written Consent.			
DEVELOPMENT CONTROLS							
BUILDING LINES			MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER
STREET	SIDE	REAR					
5 metres	2 metres	2 metres	As approved by the Local Municipality.	3 storeys	70%	3	As approved by the Local Municipality.
OTHER REGULATIONS				PARKING AND LOADING REQUIREMENTS			
<div><div></div><div>Businesses that requires licenses in terms of the Business Act, 1991, (Act No. 71 of 1991);</div></div> <div><div></div><div>The Liquor Act, 2003, (Act No. 59 of 2003), (administered by the Department of Trade and Industry) requires a liquor license for land uses where liquor is sold.</div></div> <div><div></div><div>In the case of residential buildings, the provision of open space and children’s’ playgrounds must be to the satisfaction of the Municipal Council.</div></div> <div><div></div><div>Any application which may be subject to compliance with the requirements of the National Heritage Resource Act, 1999 (Act No. 25 of 1999).</div></div>				Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements			

ZONING: BUSINESS 2 (CODE: B2)			NOTATION 	RGB FILL LINE R: 255 G: 190 B: 190	RGB FILL R: 230 G: 0 B: 0		
ZONING INTENT:							
★ To provide for a higher order of intensive business and mixed-use development with relatively few restrictions in order to promote urban vitality and economic growth and to provide for the retail sale of goods and services to the public.							
LAND & BUILDING USAGE							
PERMITTED USES:		SPECIAL CONSENT USES:	WRITTEN CONSENT:	PROHIBITED USES:			
Adult Entertainment Business, Auction Centre, Bank, Bulk Retail Trade, Distribution Centre, Bakery, Builder’s Yard, Business Premises, Cafeteria, Car Wash, Confectioner, Conference Centre / Facility, Container Site, Dispensing Centre, Drive-Thru Restaurant, Dry Cleaner, Factory Shop, Farm Stall, Filling / Service Station, Funeral Parlour, Gaming Establishment, Garden Centre, Garden Service Establishment, Guest House, Guest Lodge, Home Enterprise, Hotel, Informal Business, Kiosk, Laundrette, Light Industry, Lodge, Medical Consulting Rooms, Medical Suites, Motel, Motor Grave Yard, Motor Trade, Nursery, Offices, Panel Beating, Petro-Port, Place Of Refreshment, Private Club, Recycling Centre, Residential Hotel, Restaurant, Retail Shop, Riding Stables, Service Industry, Service Retail, Shop, Showrooms, Take-Away, Teagarden, Tuck / Spaza Shop, Veterinary Clinic, Warehouse, Wood Yard, Workshop, Liquor Enterprise, Service Trade, Shopping Centre, Vehicle Sales Market Or Vehicle Workshop & Wholesale Trade.		Agricultural Industry, Place of Entertainment, Special Use & Tavern	Place of Worship, Place of Instruction, Place of Amusement, Social Hall, Institution, Public Garage, Parking Garage & Transmission Tower	Any use not mentioned under Permitted, Special or Written Consent.			
DEVELOPMENT CONTROLS							
BUILDING LINES			MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER
STREET	SIDE	REAR					
5 metres	2 metres	2 metres	Maximum of 65 dwelling units per hectare.	3 storeys	70%	2	As approved by the Local Municipality.
OTHER REGULATIONS				PARKING AND LOADING REQUIREMENTS			
<div><div></div>Businesses that requires licenses in terms of the Business Act, 1991, (Act No. 71 of 1991);</div> <div><div></div>The Liquor Act, 2003, (Act No. 59 of 2003), (administered by the Department of Trade and Industry) requires a liquor license for land uses where liquor is sold.</div> <div><div></div>In the case of residential buildings, the provision of open space and children’s’ playgrounds must be to the satisfaction of the Municipal Council.</div> <div><div></div>Any application which may be subject to compliance with the requirements of the National Heritage Resource Act, 1999 (Act No. 25 of 1999).</div> <div><div></div>Must meet the requirements of the Occupational Health and Safety Act (No. 85 of 1993)</div> <div><div></div>Must meet the requirements of the National Environmental Management Act (No. 107 of 1998)</div>				Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements			

ZONING: CEMETERY (CODE: C)			<div>NOTATION</div> <div></div>	<div>SYMBOL FILL</div> <div>R: 255 G: 167 B: 127</div>	<div>RGB FILL LINE</div> <div>R: 230 G: 76 B: 0</div>	<div>RGB FILL</div> <div>R: 255 G: 85 B: 0</div>	
ZONING INTENT:							
★ The purpose of this zone is to provide for cemeteries & burial services							
LAND & BUILDING USAGE							
PERMITTED USES:		SPECIAL CONSENT USES:		WRITTEN CONSENT:		PROHIBITED USES:	
Cemetery		Crematorium		Wall of Remembrance		Any use not mentioned under Permitted, Special or Written Consent.	
DEVELOPMENT CONTROLS							
BUILDING LINES			MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER
STREET	SIDE	REAR					
As may be determined by the Local Municipality.	As may be determined by the Local Municipality.	As may be determined by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.
OTHER REGULATIONS					PARKING AND LOADING REQUIREMENTS		
<div>✍ All relevant legislation relating to the establishment of cemeteries will be adhered to as contemplated in National Environmental Management Act, 1998, (Act No. 107 of 1998).</div> <div>✍ Any application which may be subject to compliance with the requirements of the National Heritage Resource Act, 1999 (Act No. 25 of 1999).</div> <div>✍ No land shall be used for the purposes of refuse tipping, sewage disposal, scrap yard, stockyard, ash dump, motor graveyard or cemetery without the consent of the Local Municipality.</div>					<div>Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements</div>		







ZONING: COMMONAGE (CODE: COM)			NOTATION <div></div>	RGB FILL LINE R: 110 G: 110 B: 110	RGB FILL R: 204 G: 204 B: 204		
ZONING INTENT:							
<div><div>★</div>To create integrated, safe and sustainable environments for all communities.</div> <div><div>★</div>To promote densification in rural settlements</div> <div><div>★</div>To put measures in place to control the expansion of rural settlements.</div>							
LAND & BUILDING USAGE							
PERMITTED USES:		SPECIAL CONSENT USES:	WRITTEN CONSENT:		PROHIBITED USES:		
Agricultural Use, Clinic, Commonage, Conservation Purposes, Car wash, Government Purposes, Guest House, Guest Lodge, Home Enterprise, Informal Business, Lodge, Municipal Purposes, Nursery, Office, Shop, Teagarden, Tuck / Spaza Shop, Wood Yard, Place of Assembly, Social Hall, Crèche, Early Childhood Development Centre, Educational Purposes, Public Open Space, Private Open Space, Bed & Breakfast, Boarding House, Commune, Dormitory Establishment, Duet Dwelling, Dwelling House Office, Dwelling Unit, Flats, General Residential, Group Housing, Informal Structure, Parsonage, Professional Rooms, Residential Building, Residential Use, Shelter & Small Scale Farming.		As approved by the Local Municipality.	Agricultural Industry, Animal Refuge, Cemetery, Community Facility, Cultural Heritage Site, Farm, Farm Stall, Sawmill, Urban Agriculture, Bakery, Builders’ Yard, Business Premises, Hotel, Residential Hotel, Retirement Village, Showgrounds, Spa / Hydro & Wellness Centre, Sports Facilities, Sports & Recreational Grounds, Tavern, Tourist Facilities & Traditional Healing Practice,		Any use not mentioned under Permitted, Special or Written Consent.		
DEVELOPMENT CONTROLS							
BUILDING LINES			MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER
STREET	SIDE	REAR					
As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.	100 dwelling units per hectare.	As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.
OTHER REGULATIONS				PARKING AND LOADING REQUIREMENTS			
<div><div>✍</div>The Municipality may consider utilizing over-provided public open spaces for residential infill or other uses. Such development will require the amendment of the Scheme to a suitable zone.</div> <div><div>✍</div>Urban agricultural uses may be considered on larger open space systems, subject to environmental legislation.</div> <div><div>✍</div>Any application which may be subject to compliance with the requirements of the National Heritage Resource Act, 1999 (Act No. 25 of 1999).</div>				Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements			

ZONING: CONSERVATION (CODE: CP)			<div>NOTATION</div> <div></div>		<div>RGB FILL LINE</div> <div>R: 211 G: 255 B: 190</div>		<div>RGB FILL</div> <div>R: 56 G: 168 B: 0</div>	
ZONING INTENT: <ul style="list-style-type: none">★ To provide adequate measures for the protection of areas deemed for conservation purposes.★ To ensure that such facilities are located and maintained to attract visitors and tourists.★ To set aside areas of land for the provision of parks, botanical gardens and other open spaces as well as corridor linkages between open areas for passive recreational purposes.								
LAND & BUILDING USAGE								
PERMITTED USES:			SPECIAL CONSENT USES:		WRITTEN CONSENT:		PROHIBITED USES:	
All declared national, provincial and private Nature Reserves (including Biospheres, Cultural Heritage Sites)			Agriculture, Airport, Conference Facilities, Filling Station, Guest House, Hotel, Lodge, Place of Assembly, Place of Entertainment, Shop, Special Usage & Telecommunication Mast.		As approved by the Local Municipality		Any use not mentioned under Permitted, Special or Written Consent.	
DEVELOPMENT CONTROLS								
BUILDING LINES			MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER	
STREET	SIDE	REAR						
As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality	
OTHER REGULATIONS					PARKING AND LOADING REQUIREMENTS			
<div><div></div> There must be compliance with National and Provincial environmental legislation.</div> <div><div></div> Any application which may be subject to compliance with the requirements of the National Heritage Resource Act, 1999 (Act No. 25 of 1999).</div> <div><div></div> Compliance with Electronic Communication Act, 2005 (Act No. 36 of 2005)</div>					<div>Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements</div>			




ZONING: EDUCATIONAL (CODE: E)			<div>NOTATION</div> <div></div>		<div>SYMBOL FILL</div> <div>R: 0 G: 77 B: 168</div>	<div>RGB FILL LINE</div> <div>R: 190 G: 232 B: 255</div>	<div>RGB FILL</div> <div>R: 0 G: 92 B: 230</div>
<div>ZONING INTENT:</div> <div>★ The objective of this zone is to provide for educational facilities of all kinds, but controlled provision is made for other compatible community uses.</div>							
LAND & BUILDING USAGE							
PERMITTED USES:		SPECIAL CONSENT USES:		WRITTEN CONSENT:		PROHIBITED USES:	
Place of Instruction, Place of Worship, Social Hall, Sport and Recreation, Education Purposes.		Transmission Tower		Dwelling Houses / Units related but subordinate to the main use.		Any use not mentioned under Permitted, Special or Written Consent.	
DEVELOPMENT CONTROLS							
BUILDING LINES			MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER
STREET	SIDE	REAR					
5 metres	2 metres	2 metres	As approved by the municipality	4 Storeys	70%	1.2	As approved by the municipality
OTHER REGULATIONS					PARKING AND LOADING REQUIREMENTS		
<div><div></div>Any application which may be subject to compliance with the requirements of the National Heritage Resource Act, 1999 (Act No. 25 of 1999).</div> <div><div></div>There must be compliance with National and Provincial environmental legislation.</div> <div><div></div>Compliance with Electronic Communication Act, 2005 (Act No. 36 of 2005).</div>					<div>Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements</div>		


ZONING: GOVERNMENT (CODE: GM)			NOTATION	RGB FILL LINE R: 115 G: 115 B: 0	RGB FILL R: 168 G: 168 B: 0		
ZONING INTENT:							
<div>★ The purpose of this zone is to provide for government or authority uses, such as prisons, military bases.</div> <div>★ The uses may also include State uses such as military training centres, installations and police stations, Provincial Government uses such as offices, road camps and road stations and Local Municipality uses such as offices, fire services, sewage farms, dumping grounds, reservoirs, composting installations and water purification works and museums;</div>							
LAND & BUILDING USAGE							
PERMITTED USES:		SPECIAL CONSENT USES:		WRITTEN CONSENT:	PROHIBITED USES:		
Cemetery, Clinic, Electrical Purposes, Government Purposes, Hospital, Jail or prison, Laboratory, Military Base, Mortuary, Reservoir, Road Reserve, Telecommunication Centre, Institutional Purposes, Educational Purposes, Government Offices, Reservoir, Sewerage Works, Substation, Veterinary Clinic & Utility Services.		Communal Land, Cultural Heritage Site, Retirement Village, Sports Facilities & Taxi Rank		Telecommunication Mast & Transport Purposes,	Any use not mentioned under Permitted, Special or Written Consent.		
DEVELOPMENT CONTROLS							
BUILDING LINES			MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER
STREET (m)	SIDE (m)	REAR (m)					
As may be determined by the Local Municipality.	As may be determined by the Local Municipality.	As may be determined by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.	50%	As approved by the Local Municipality.	As approved by the Local Municipality.
OTHER REGULATIONS					PARKING AND LOADING REQUIREMENTS		
<div><div>✍</div>Must meet the requirements of the National Environmental Management: Air Quality Act (No. 39 of 2004);</div> <div><div>✍</div>Any application which may be subject to compliance with the requirements of the National Heritage Resource Act, 1999 (Act No. 25 of 1999).</div> <div><div>✍</div>Compliance with Electronic Communication Act, 2005 (Act No. 36 of 2005).</div> <div><div>✍</div>Subject to the Civil Aviation Act (Act No. 13 of 2009) and approvals</div>					<div>Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements</div>		

ZONING: INDUSTRIAL 1 (CODE: I1)			NOTATION	RGB FILL LINE	RGB FILL		
				R: 76 G: 0 B: 115	R: 169 G: 0 B: 230		
ZONING INTENT:							
<div><div>★</div><div>The purpose of this zone is to provide appropriate locations for light and service industries that has limited impact.</div></div> <div><div>★</div><div>To provide appropriate locations for a range of industrial, warehousing and related activities in specific areas.</div></div> <div><div>★</div><div>To ensure that the location of industrial development is such that it minimises their impacts on surrounding areas.</div></div> <div><div>★</div><div>To ensure that the location and development of these sites do not negatively impact on the natural environment or watercourses located near them.</div></div>							
LAND & BUILDING USAGE							
PERMITTED USES:		SPECIAL CONSENT USES:	WRITTEN CONSENT:	PROHIBITED USES:			
Industrial purposes, Filling Station, Adult Entertainment Buisness, Agricultural Industries, Brick Yard, Industries, coal Yard, Public garage, Commercial use, Service industry, Factory, Factory Shop, Heavy Vehicle Parking Depot, Light Industry, Industrial Use, Industry, Informal Business, Office, Motor Workshop, Panel beating, Recycling Centre, Railway, Railway Purposes, Sawmill, Transport Usage, Truck Stop, Workshop,		Abattoir, Helicopter Landing Pad, Transmission Tower.	Place of refreshment for own employees only, Scrap yard, Dwelling unit related to but subordinate to main use, Special use, Builders yard, Public Phone shop, Telecommunication mast, Cafeteria, Canteen, Take-Away & Tavern.	Any use not mentioned under Permitted, Special or Written Consent.			
DEVELOPMENT CONTROLS							
BUILDING LINES			MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER
STREET (m)	SIDE (m)	REAR (m)	As approved by the Local Municipality.	3 storeys	75%	2.7	As approved by the Local Municipality.
OTHER REGULATIONS				PARKING AND LOADING REQUIREMENTS			
<div><div></div><div>There must be compliance with National and Provincial environmental legislation.</div></div> <div><div></div><div>There must be compliance with the National Environmental Management: Air quality Act, 2004 (Act no. 39 of 2004).</div></div> <div><div></div><div>There must be compliance with the National Environmental Management: Waste Act, 2008 (Act no. 59 of 2008).</div></div> <div><div></div><div>Any application which may be subject to compliance with the requirements of the National Heritage Resource Act, 1999 (Act No. 25 of 1999).</div></div> <div><div></div><div>A water use licence/authorisation may be required in terms of the National Water Act, 1998, (Act No. 36 of 1998).</div></div>				Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements			






ZONING: INDUSTRIAL 2 (CODE: I2)			NOTATION 	RGB FILL LINE R: 223 G: 115 B: 255	RGB FILL R: 197 G: 0 B: 255		
ZONING INTENT:							
★ The objective of this zone is to accommodate medium to high industries in order to promote the manufacturing sector of the economy. Some allowance is made for nonindustrial activities, but these should not compromise the general use of the area zoned for industry. It is accepted that the intensive nature of the industrial activity or the scale of the operation could generate some negative impact on adjacent properties.							
LAND & BUILDING USAGE							
PERMITTED USES:		SPECIAL CONSENT USES:		WRITTEN CONSENT:			
Abattoir, Industries, Service industry, Commercial use, Animal Refuge, Auction Centre, Brickyard, Builders’ Yard, Distribution Centre, Factory, Factory, Shop, Garden Service Establishment, Heavy Vehicle Parking Depot, Industrial Use, Industry, Light Industry, Motor Workshop, Office, Panel Beating, Place of Instruction, Recycling Centre, Sawmill, Showrooms, Transport Usage, Truck Stop, Warehousing and Packaging, Wholesale Trade & Workshop.		Coal Yard, Wood Yard, Public Garage, Funeral Parlour & Dry Cleaner		Public garage, Noxious industries, Place of refreshment for own employees only, Scrap yard, Dwelling unit related to but subordinate to main use, Special use, Cafeteria, Canteen, Informal Business, Tavern, Dwelling unit related to but subordinate to main use, Special use & Take-Away			
PROHIBITED USES:							
Any use not mentioned under Permitted, Special or Written Consent.							
DEVELOPMENT CONTROLS							
BUILDING LINES			MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER
STREET (m)	SIDE (m)	REAR (m)					
6	2	2	As approved by the Local Municipality.	3 Storeys	75%	2.7	As approved by the Local Municipality.
OTHER REGULATIONS				PARKING AND LOADING REQUIREMENTS			
 There must be compliance with National and Provincial environmental legislation.  There must be compliance with the National Environmental Management: Air quality Act, 2004 (Act no. 39 of 2004).  There must be compliance with the National Environmental Management: Waste Act, 2008 (Act no. 59 of 2008).  Any application which may be subject to compliance with the requirements of the National Heritage Resource Act, 1999 (Act No. 25 of 1999).  A water use licence/authorisation may be required in terms of the National Water Act, 1998, (Act No. 36 of 1998).				Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements			





ZONING: INDUSTRIAL 3 (CODE: I3)			<div>NOTATION</div> <div></div>		RGB FILL LINE R: 76 G: 0 B: 115		RGB FILL R: 132 G: 0 B: 168	
ZONING INTENT:								
★ The purpose of this zone is to accommodate noxious industries.								
LAND & BUILDING USAGE								
PERMITTED USES:			SPECIAL CONSENT USES:		WRITTEN CONSENT:		PROHIBITED USES:	
asbestos-processing, chromium-plating, cement production, coal carbonisation, charcoal-burning, converting, reheating, annealing, hardening or carburizing, forging or casting of iron or other metals, crushing or screening of stone or slag or plants for the preparation of road-surfacing material, distilling, refining or blending of oils, galvanising, lime- and dolomite-burning, lead-smelting, pickling and treatment of metal in acid, recovery of metal from scrap, smelting, calcining, sintering or other reduction of ores or minerals, salt glazing, sintering of sulphur-bearing materials and viscose works			As approved by the Local Municipality.		As approved by the Local Municipality.		Any use not mentioned under Permitted, Special or Written Consent.	
DEVELOPMENT CONTROLS								
BUILDING LINES			MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER	
STREET (m)	SIDE (m)	REAR (m)						
6	2	2	As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.	
OTHER REGULATIONS					PARKING AND LOADING REQUIREMENTS			
<div><div></div> There must be compliance with National and Provincial environmental legislation.</div> <div><div></div> There must be compliance with the National Environmental Management: Air quality Act, 2004 (Act no. 39 of 2004).</div> <div><div></div> There must be compliance with the National Environmental Management: Waste Act, 2008 (Act no. 59 of 2008).</div> <div><div></div> Any application which may be subject to compliance with the requirements of the National Heritage Resource Act, 1999 (Act No. 25 of 1999).</div> <div><div></div> A water use licence/authorisation may be required in terms of the National Water Act, 1998, (Act No. 36 of 1998).</div>					Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements			


ZONING: INSTITUTIONAL (CODE: I)			NOTATION	RGB FILL LINE	RGB FILL		
				R: 0 G: 115 B: 76	R: 0 G: 230 B: 169		
ZONING INTENT:							
<div><div>★</div><div>To provide an adequate number of accessible social and civic facilities to meet the needs of communities in the fields of health, social and cultural services, which includes public and private service providers and administrative or government functions including education, health, pension offices, museums, libraries, community halls, jails / prisons, juvenile facilities, cemeteries and crematoria.</div></div> <div><div>★</div><div>To ensure that such facilities are designed to address the special needs of the physically challenged, elderly, women, and children.</div></div>							
LAND & BUILDING USAGE							
PERMITTED USES:		SPECIAL CONSENT USES:		WRITTEN CONSENT:		PROHIBITED USES:	
Institution or Institutional Use, Community Facility, Crèche, Hospital, Early Childhood Development Centre, Place of Assembly, Place of Instruction, Place of Worship, Office & Sport and Recreation.		Dwelling House		As approved by the Local Municipality.		Any use not mentioned under Permitted, Special or Written Consent.	
DEVELOPMENT CONTROLS							
BUILDING LINES			MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER
STREET (m)	SIDE (m)	REAR (m)					
5	2	2	As approved by the Local Municipality.	3 Storeys	50%	As approved by the Local Municipality.	As approved by the Local Municipality.
OTHER REGULATIONS					PARKING AND LOADING REQUIREMENTS		
<div><div></div><div>The Municipality may consider utilizing vacant, underutilized or over-provided community facility land for residential infill. Such development shall require an amendment of the Scheme to a suitable zone.</div></div> <div><div></div><div>Any application which may be subject to compliance with the requirements of the National Heritage Resource Act, 1999 (Act No. 25 of 1999).</div></div> <div><div></div><div>Compliance with Electronic Communication Act, 2005 (Act No. 36 of 2005).</div></div>					Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements		

ZONING: MINING & QUARRYING (CODE: MQ)			NOTATION 	SYMBOL FILL R: 0 G: 0 B: 0	RGB FILL LINE R: 137 G: 137 B: 68	RGB FILL R: 137 G: 112 B: 68	
ZONING INTENT: <ul style="list-style-type: none">★ To provide appropriately located land to allow the extraction of minerals and raw materials and associated business operations.★ To ensure that the extraction is carried out in a manner that takes cognizance of its impact on the site and surrounding properties and seeks to minimise the long-term effects of the activity.★ To ensure that the relevant environmental considerations are adhered to regarding the actual extraction process, its impact on the environment, and to the rehabilitation of a site or sites once the activity has ceased.							
LAND & BUILDING USAGE							
PERMITTED USES:		SPECIAL CONSENT USES:		WRITTEN CONSENT:		PROHIBITED USES:	
Mining, Mining Activities – Extraction and Beneficiation. Canteen, Dwelling Units, Laboratory, Fuelling Facility, Utility, Offices, Private Open Space, Public Garage, Public Open Space, Residential Building, Railway Purposes, Place of Education, Place of Instruction, Place of Entertainment, Place of refreshment, Mining Activities, Place of public worship, Social Hall, Sport and Recreation Ground & Workshop.		As approved by the Local Municipality.		As approved by the Local Municipality.		Any use not mentioned under Permitted, Special or Written Consent.	
DEVELOPMENT CONTROLS							
BUILDING LINES			MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER
STREET (m)	SIDE (m)	REAR (m)					
10	5	5	As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.
OTHER REGULATIONS				PARKING AND LOADING REQUIREMENTS			
<ul style="list-style-type: none">✎ There must be compliance with National and Provincial environmental legislation.✎ A mining right, mining permit, exploration right or production right may be required in terms of the Mineral and Petroleum Resources Development Act, 2002, (Act No. 28 of 2002).✎ National Environmental Management Amendment Act of 2003 requires authorisation in terms of EIA regulations.✎ A water use licence/authorisation may be required in terms of the National Water Act, 1998, (Act No. 36 of 1998).✎ No quarrying for the taking of sand, stone, rock, gravel, clay and soil for any purpose whatsoever shall be conducted on any property unless authorised in terms of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) and in any amendments thereof.✎ Any application which may be subject to compliance with the requirements of the National Heritage Resource Act, 1999 (Act No. 25 of 1999).✎ An atmospheric emission licence in terms of the National Environmental Management: Air Quality Act maybe required for some use.				Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements			

ZONING: MUNICIPAL (CODE: M)			NOTATION		RGB FILL LINE		RGB FILL	
			<div></div>		R: 168 G: 112 B: 0		R: 255 G: 170 B: 0	
ZONING INTENT:								
★ The objective of this zone is to reserve land for uses normally undertaken by municipal government agencies as well as land for utility services such as electrical substations, and which do not fall into another zoning category. Some flexibility for the use of land and development parameters is provided								
LAND & BUILDING USAGE								
PERMITTED USES:			SPECIAL CONSENT USES:		WRITTEN CONSENT:		PROHIBITED USES:	
Municipal Purposes, Fire services, sewage farms, dumping grounds, composting installations, water purification works, museums, electrical substations, water reservoirs			Transmission Tower, Helicopter Landing Pad		As approved by the Local Municipality.		Any use not mentioned under Permitted, Special or Written Consent.	
DEVELOPMENT CONTROLS								
BUILDING LINES			MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER	
STREET (m)	SIDE (m)	REAR (m)						
5	2	2	As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.	
OTHER REGULATIONS					PARKING AND LOADING REQUIREMENTS			
<div><div></div> There must be compliance with National and Provincial environmental legislation.</div> <div><div></div> The Municipality may consider utilizing vacant, underutilized or over-provided community facility land for residential infill. Such development shall require an amendment of the Scheme to a suitable zone.</div> <div><div></div> Any application which may be subject to compliance with the requirements of the National Heritage Resource Act, 1999 (Act No. 25 of 1999).</div> <div><div></div> Compliance with Electronic Communication Act, 2005 (Act No. 36 of 2005).</div>					<div>Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements</div>			

ZONING: PRIVATE OPEN SPACE (CODE: PrOS)			NOTATION 	RGB FILL LINE R: 92 G: 137 B: 68	RGB FILL R: 0 G: 97 B: 0		
ZONING INTENT: ★ To provide adequate numbers of appropriately situated sites of a private nature that are easily accessible for recreational purposes and activities for certain communities.							
LAND & BUILDING USAGE							
PERMITTED USES:		SPECIAL CONSENT USES:		WRITTEN CONSENT:		PROHIBITED USES:	
Private Clubs, Private Open Spaces, Caravan Parks, Places of Refreshment and Sport & Recreation		Transmission Tower and Special Usage.		As approved by the Local Municipality.		Any use not mentioned under Permitted, Special or Written Consent.	
DEVELOPMENT CONTROLS							
BUILDING LINES			MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER
STREET	SIDE	REAR					
As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.
OTHER REGULATIONS					PARKING AND LOADING REQUIREMENTS		
<div><div></div>There must be compliance with National and Provincial environmental legislation.</div> <div><div></div>National Environmental Management Amendment Act of 2003 requires authorisation in terms of EIA regulations.</div> <div><div></div>Any application which may be subject to compliance with the requirements of the National Heritage Resource Act, 1999 (Act No. 25 of 1999).</div> <div><div></div>Compliance with Electronic Communication Act, 2005 (Act No. 36 of 2005)</div>					Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements		

ZONING: PUBLIC SERVICE INFRASTRUCTURE (CODE: PSI)				NOTATION 	RGB FILL LINE R: 110 G: 110 B: 110	RGB FILL R: 78 G: 78 B: 78	
ZONING INTENT: ★ The purpose of this zone is to make provision for utility services such as reservoirs, telecommunication Masts							
LAND & BUILDING USAGE							
PERMITTED USES: Reservoirs, Pump Station Sewerage plant, Telecommunication Mast, Transmission Tower		SPECIAL CONSENT USES: As approved by the Local Municipality.		WRITTEN CONSENT: As approved by the Local Municipality.		PROHIBITED USES: Any use not mentioned under Permitted, Special or Written Consent.	
DEVELOPMENT CONTROLS							
BUILDING LINES			MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER
STREET (m)	SIDE (m)	REAR (m)					
As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.	As approved by the Local Municipality.
OTHER REGULATIONS					PARKING AND LOADING REQUIREMENTS		
<div><div></div>There must be compliance with National and Provincial environmental legislation.</div> <div><div></div>Any application which may be subject to compliance with the requirements of the National Heritage Resource Act, 1999 (Act No. 25 of 1999).</div> <div><div></div>Compliance with Electronic Communication Act, 2005 (Act No. 36 of 2005)</div>					Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements		

ZONING: PUBLIC OPEN SPACE (CODE: POS)			NOTATION 	RGB FILL LINE R: 76 G: 115 B: 0	RGB FILL R: 152 G: 230 B: 0		
ZONING INTENT: <ul style="list-style-type: none">★ To provide adequate numbers of appropriately situated sites that are easily accessible for recreational purposes and activities for local and wider communities.★ To ensure that such parks address the special needs of the physically challenged, elderly, women, and children.★ To ensure that such facilities are located and maintained to attract visitors and tourists.★ To set aside areas of land for the provision of parks, botanical gardens and other open spaces as well as corridor linkages between open areas for passive recreational purposes.							
LAND & BUILDING USAGE							
PERMITTED USES:		SPECIAL CONSENT USES:		WRITTEN CONSENT:			
Public Open Space		Transmission Tower		As approved by the Local Municipality			
				Any use not mentioned under Permitted, Special or Written Consent.			
DEVELOPMENT CONTROLS							
BUILDING LINES			MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER
STREET	SIDE	REAR					
As approved by the Municipality.	As approved by the Municipality.	As approved by the Municipality.	As approved by the Municipality.	As approved by the Municipality.	As approved by the Municipality.	As approved by the Municipality.	As approved by the Municipality.
OTHER REGULATIONS			PARKING AND LOADING REQUIREMENTS				
<ul style="list-style-type: none">✍ Any application which may be subject to compliance with the requirements of the National Heritage Resource Act, 1999 (Act No. 25 of 1999).✍ The Municipality may consider utilizing over-provided public open spaces for residential infill or other uses. Such development will require the amendment of the Scheme to a suitable zone;			Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements				

ZONING: RENEWABLE ENERGY (CODE: RE)			NOTATION	RGB FILL LINE	RGB FILL		
				R: 255 G: 255 B: 190	R: 114 G: 137 B: 68		
ZONING INTENT:							
★ To provide adequate land for renewably energy projects such as solar plants and wind farms							
LAND & BUILDING USAGE							
PERMITTED USES:		SPECIAL CONSENT USES:		WRITTEN CONSENT:			
Solar Plant, Wind Farm		Office/s		N/A			
				PROHIBITED USES:			
				Any use not mentioned under Permitted, Special or Written Consent.			
DEVELOPMENT CONTROLS							
BUILDING LINES			MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER
STREET (m)	SIDE (m)	REAR (m)					
As approved by the Municipality.	As approved by the Municipality.	As approved by the Municipality.	N/A	As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality
OTHER REGULATIONS					PARKING AND LOADING REQUIREMENTS		
<div>Electricity Regulation Act, Act 4 of 2006</div> <div>National Environmental Management Amendment Act 46 of 2003, requires authorisation in terms of EIA regulations.</div> <div>Any application which may be subject to compliance with the requirements of the National Heritage Resource Act, 1999 (Act No. 25 of 1999).</div>					<div>Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements</div>		

ZONING: RESIDENTIAL 1 (CODE: R1)				NOTATION <div></div>	RGB FILL LINE R: 168 G: 168 B: 0	RGB FILL R: 255 G: 255 B: 0		
ZONING INTENT: <ul style="list-style-type: none">★ To provide adequate land for residential purposes at a low density.★ To protect the residential use and amenity by limiting the compatible uses allowed to those that can be accommodated within the residential fabric with minimal impact or disruption.★ To create integrated, safe and sustainable residential environments for all communities.★ To protect conservation-worthy buildings as determined by the National Heritage Resources Act, 1999, (Act No. 25 of 1991).								
LAND & BUILDING USAGE								
PERMITTED USES:		SPECIAL CONSENT USES:		WRITTEN CONSENT:	PROHIBITED USES:			
Dwelling House		Bed & Breakfast, Creche, Day Care Centre, Guest House, Granny Flat, Playgroup, Place of instruction, Second Dwelling Unit, Backyard dwelling, Spaza shop		Home Occupation,	Any use not mentioned under Permitted, Special or Written Consent.			
DEVELOPMENT CONTROLS								
BUILDING LINES				MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER
Stand Size	STREET (m)	SIDE (m)	REAR (m)					
≤ 350m2	2	1	1	One dwelling unit per erf with additional dwelling unit subject to Special consent	2 Storeys	60%	1.5	As may be approved by the municipality from time to time.
>350m2	3	2	2					
OTHER REGULATIONS					PARKING AND LOADING REQUIREMENTS			
<ul style="list-style-type: none">✍ Properties that are ≤ 350m² may have coverage of up to 75%.✍ Conservation worthy buildings must be linked to cultural heritage as per the National Heritage Resources Act, 1999, (Act No. 25 of 1991).					Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements			

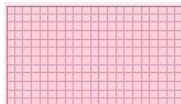
ZONING: RESIDENTIAL 2 (CODE: R2)			NOTATION	RGB FILL LINE	RGB FILL		
				R: 115 G: 115 B: 0	R: 230 G: 230 B: 0		
ZONING INTENT:							
<div><div>★</div><div>To provide adequate land for residential purposes at a medium density.</div></div> <div><div>★</div><div>To create integrated, safe and sustainable residential environments for all communities.</div></div>							
LAND & BUILDING USAGE							
PERMITTED USES:		SPECIAL CONSENT USES:		WRITTEN CONSENT:			
Dwelling units with or without outbuildings, Duet Dwelling, Dwelling Unit. Flats, Group Housing & Town Houses		Guest House, Bed & Breakfast, Creche, Retirement Village, Kiosk, Tea Garden, Launderette, Place of Education, Place of Instruction & Place of Worship.		Home Occupation			
				PROHIBITED USES:			
				Any use not mentioned under Permitted, Special or Written Consent.			
DEVELOPMENT CONTROLS							
BUILDING LINES			MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER
STREET (m)	SIDE (m)	REAR (m)					
5	2	2	Maximum of 40 dwelling units per hectare.	2 Storeys	70%	1.0	As may be approved by the municipality from time to time.
OTHER REGULATIONS				PARKING AND LOADING REQUIREMENTS			
<div><div></div><div>The provision of open space and children’s’ playgrounds must be to the satisfaction of the council.</div></div> <div><div></div><div>A site development plan shall be submitted.</div></div> <div><div></div><div>Conservation worthy buildings must be linked to cultural heritage as per the National Heritage Resources Act, 1999, (Act No. 25 of 1999).</div></div> <div><div></div><div>In terms of private roads or servitudes, the following are applicable: Road registered as erf with title deed description as R.O.W servitude to all stands served by it; paving; should be designed by registered engineer; service yard for refuse at entrance; maintenance be the responsibility of the residential committee and contained as such in title deed and servitude for municipal sewer, water and electricity over total road area.</div></div>				Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements			

ZONING: RESIDENTIAL 3 (CODE: R3)			NOTATION	RGB FILL LINE	RGB FILL		
				R: 255 G: 255 B: 115	R: 255 G: 217 B: 0		
ZONING INTENT:							
<div>★ To provide adequate land for residential purposes at a high density.</div> <div>★ To protect conservation-worthy buildings as determined by the National Heritage Resources Act, 1999, (Act No. 25 of 1999).</div>							
LAND & BUILDING USAGE							
PERMITTED USES:		SPECIAL CONSENT USES:		WRITTEN CONSENT:			
Dormitory Establishment, Dwelling Units, Flats, Group Housing, Guest House, Lodge, Overnight Accommodation, Recreation Facility, Residential Building, Residential Hotel & Town Houses		Early Childhood Development Centres, Place of Assembly, Place of Education, Place of Entertainment, Place of Instruction, Place of Worship & Place of Refreshment		Crèche, Day Care Facility, Gymnasium, Kiosk, Launderette & Tuck Shop or Spaza Shop			
				Any use not mentioned under Permitted, Special or Written Consent.			
DEVELOPMENT CONTROLS							
BUILDING LINES			MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER
STREET (m)	SIDE (m)	REAR (m)					
5	2	2	Maximum of 80 dwelling units per hectare	6 Storeys	70%	0.8	As may be approved by the municipality from time to time.
OTHER REGULATIONS				PARKING AND LOADING REQUIREMENTS			
<div><div></div> Properties that are ≤ 350m² may have coverage of up to 75%.</div> <div><div></div> Conservation worthy buildings must be linked to cultural heritage as per the National Heritage Resources Act, 1999, (Act No. 25 of 1999).</div> <div><div></div> The Liquor Act, 2003, (Act No. 59 of 2003), (administered by the Department of Trade and Industry) requires a liquor license for land uses where liquor is sold.</div> <div><div></div> The National Gambling Act, 2004, (Act No. 7 of 2004) may also require a gambling license depending on the nature of gambling activities.</div> <div><div></div> In the case of residential buildings, the provision of open space and children's' playgrounds must be to the satisfaction of the Municipal Council.</div>				<div>Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements</div> <div>Residential Uses – as per Site Development Plan.</div>			

ZONING: MIXED USE - RURAL DEVELOPMENT (CODE: MRD)			<div>NOTATION</div> <div></div>		<div>RGB FILL LINE</div> <div>R: 168 G: 168 B: 0</div>		<div>RGB FILL</div> <div>R: 255 G: 255 B: 128</div>	
ZONING INTENT:								
<div><div>★</div>To provide adequate land for residential purposes and other uses as specified in Table 6 for rural communities.</div> <div><div>★</div>To create integrated, safe and sustainable residential environments for all communities.</div> <div><div>★</div>To protect the residential use and amenity by limiting the compatible uses allowed to those that can be accommodated within the residential fabric with minimal impact or disruption.</div> <div><div>★</div>To protect conservation-worthy buildings as determined by the National Heritage Resources Act, 1999, (Act No. 25 of 1999).</div> <div><div>★</div>To allow only a limited number of ancillary uses so as to protect the primary low density residential or agricultural land use.</div>								
LAND & BUILDING USAGE								
PERMITTED USES:			SPECIAL CONSENT USES:		WRITTEN CONSENT:		PROHIBITED USES:	
Day Care Facility, Dwelling House, Commonage, Communal Land, Cultural Activities, Cultural Heritage Site, Creche, Government purpose, Home Occupation, Nursery, Shelter, Spaza Shop, Small Scale Agriculture, Municipal purpose, Place of Assembly, Traditional Healing Practice, Tribal Office & Urban Agriculture.			Abattoir, Cemetery, Crematorium, Factory, Filling Station, Guest House, High Density Residential, Industry Light Industry, Manufacturing, Mining, Noxious Use, Office, Panel Beating, Place of Worship, Retail Service, Scrapyard, Tavern		Additional Dwelling Unit, Duet Dwelling		Any use not mentioned under Permitted, Special or Written Consent.	
DEVELOPMENT CONTROLS								
BUILDING LINES			MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER	
STREET (m)	SIDE (m)	REAR (m)						
As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality	2 Storeys	70%	As approved by the Local Municipality	As approved by the Local Municipality	
OTHER REGULATIONS					PARKING AND LOADING REQUIREMENTS			
<div><div></div>Properties that are ≤ 350m² may have coverage of up to 75%.</div> <div><div></div>Conservation worthy buildings must be linked to cultural heritage as per the National Heritage Resources Act, 1999, (Act No. 25 of 1999).</div> <div><div></div>There must be compliance with National and Provincial environmental legislation in the development of resorts, land for conservation purposes, cultural heritage sites, protected areas and listed activities.</div>					<div>Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements</div>			

ZONING: TRANSPORTATION (CODE: T)			NOTATION	RGB FILL LINE	RGB FILL		
				R: 110 G: 110 B: 110	R: 255 G: 255 B: 255		
ZONING INTENT:							
<div><div>★</div><div>To accommodate transportation service functions and land uses such as aerodrome, railway stations, truck stops, bus and taxi ranks and other depots.</div></div> <div><div>★</div><div>To ensure that transportation service developments serve the national, provincial and local economy and provide the correct levels of service to both tourists and broader community.</div></div> <div><div>★</div><div>To locate these strategic developments such that they provide the catalyst for local economic development.</div></div> <div><div>★</div><div>To ensure that the location and development of these sites are undertaken in accordance with EIA requirements and ongoing environmental management monitoring procedures.</div></div>							
LAND & BUILDING USAGE							
PERMITTED USES:		SPECIAL CONSENT USES:		WRITTEN CONSENT:	PROHIBITED USES:		
Airfield, Aerodrome, Bus Bay, Bus Station, Bus Terminus, Parking Garage, Taxi-Rank, Truck Stop, Railway purposes		Heli Pad, Heli Port		Advertisement & Advertisement Signs	Any use not mentioned under Permitted, Special or Written Consent.		
DEVELOPMENT CONTROLS							
BUILDING LINES			MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER
STREET (m)	SIDE (m)	REAR (m)					
As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality
OTHER REGULATIONS						PARKING AND LOADING REQUIREMENTS	
<div><div></div><div>Subject to the Civil Aviation Act (Act No. 13 of 2009) and approvals</div></div> <div><div></div><div>Compliance with Electronic Communication Act, 2005 (Act No. 36 of 2005)</div></div> <div><div></div><div>Any application which may be subject to compliance with the requirements of the National Heritage Resource Act, 1999 (Act No. 25 of 1999).</div></div>						<div>Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements</div>	

ZONING: TOURISM & ACCOMMODATION (CODE: TA)			NOTATION <div></div>	RGB FILL LINE R: 38 G: 115 B: 0	RGB FILL R: 163 G: 255 B: 115		
ZONING INTENT: ★ To accommodate land and buildings used for the purpose of resort facilities in the tourism industry.							
LAND & BUILDING USAGE							
PERMITTED USES:	SPECIAL CONSENT USES:		WRITTEN CONSENT:	PROHIBITED USES:			
Amusement facility, Botanical Garden, Dwelling House, Game Farm, Guest House, Guest Lodge, Gymnasium, Nature Reserve, Resort, Restaurant & Tourist Facilities.	Camping Site, Caravan Park, Community facility, Conservation Areas, Dormitory Establishment, Hotel, Office, Nursery, Place of Amusement, Place of Entertainment, Private Open Space, Public Garden, Public Open Space, Public Parking, Public Street, Recreation purposes, Recreation Facility, Semi-Detached Unit, Showgrounds, Spa/Hydro and Wellness Centre, Sports facilities, Sports ground or sport and recreational grounds & Zoological garden.		As approved by the Local Municipality.	Any use not mentioned under Permitted, Special or Written Consent.			
DEVELOPMENT CONTROLS							
BUILDING LINES			MAXIMUM DENSITY	MAXIMUM HEIGHT	MAXIMUM COVERAGE	MAXIMUM F.A.R	OTHER
STREET (m)	SIDE (m)	REAR (m)					
As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality	As approved by the Local Municipality
OTHER REGULATIONS					PARKING AND LOADING REQUIREMENTS		
<div><div></div> There must be compliance with National and Provincial environmental legislation in the development of resorts, land for conservation purposes, cultural heritage sites, protected areas and listed activities.<div></div> Any application which may be subject to compliance with the requirements of the National Heritage Resource Act, 1999 (Act No. 25 of 1999).</div>					Refer to Chapter 6 – Section 6.7: Parking and Loading Requirements		

ZONING: UNDETERMINED (CODE: UD)			NOTATION 	RGB FILL LINE R: 214 G: 157 B: 188	RGB FILL R: 255 G: 210 B: 218
ZONING INTENT: <ul style="list-style-type: none">★ The objective of this zone is to enable the Municipality to defer a decision regarding a specific land use and development management provisions until the circumstances affecting the land have been properly investigated; or until the owner of the land makes an application for rezoning; or a zoning determination is made by the Municipality.★ The objective of this zone is furthermore to create a zone to which land could revert back to when rights under current zonings, other than Residential Zone I, were not exercised, especially in cases where changes in the planning context occurred since the current zoning was granted.					
LAND & BUILDING USAGE					
PERMITTED USES:		SPECIAL CONSENT USES:		WRITTEN CONSENT:	
None		None		None	

CHAPTER 4: MANAGEMENT ZONES AND INCENTIVES

4.1 CONTEXT

4.1.1 A management zone is used to indicate, regulate and/or manage development issues of concern or importance within the Municipal area such as environmental considerations, development incentives, engineering services matters, and any other issue regarded as necessary by the Municipality.

4.1.2 Management Zones are indicative and do not offer land use rights.

4.1.3 A management zone may contain any form of regulation regarded as necessary by the Municipality in its endeavour to ensure sustainable and safe development.

4.1.4 Such regulations contained in a management zone shall apply in addition to any other development regulation contained in the Scheme.

4.1.5 For any area that has not been proclaimed, the full township process, as contained in the municipal by-law, should be followed.

4.2 MANAGEMENT ZONES

4.2.1 The municipality hereby establishes the following management zones and regulations contained in this chapter.

- i. *Proclaimed/Un-proclaimed/Un-registered Townships*
- ii. *Rural Incremental and Informal Settlement Management Zone*
- iii. *Capricorn Bioregional Management Zone*
- iv. *Institutional Management Zone*

4.2.2 Proclaimed/Un-proclaimed/Un-registered Townships

4.2.2.1 This zone makes provision for townships where a General Plan has been approved, but the township has not yet been proclaimed/registered at the surveyor general office.

4.2.2.2 These townships have to be verified and a clear decision needs to be taken, either;

4.2.2.2.1 The municipality must appoint a professional to proclaim/register a township where the General Plan has been approved but not yet proclaimed/registered, and only if the land uses on the ground corresponds with the approved General Plan.

4.2.2.2.2 The municipality must appoint a land surveyor to withdraw in whole or in part of an approved General Plan where the General Plan has not yet been proclaimed and where the land uses on the ground do not correspond with the approved general plan.

4.2.2.3 The following townships need to be registered;

- a) Puraspan Ext 2
- b) Puraspan Ext 3
- c) Mamadi
- d) Taaiboschgroet Ext 2
- e) Witten Ext 1
- f) Bochum A Ext 7
- g) My Darling
- h) Pax Village
- i) Purekrantz 250-MS

- j) Rivers Limpopo Two Private Estate Ext 1
- k) Rivers Limpopo Two Private Estate Ext 2

4.2.2.4 The following townships need to be withdrawn/or part thereof;

- a) De Vrede
- b) Grootpan
- c) Sekhung Village Ext

4.2.3 Rural Incremental and Informal Settlement Management Zone

4.2.3.1 The incremental introduction of land use management and regulation in rural areas and informal settlements includes:

4.2.3.2 The agreement between the Community and Local Municipality on the following matters;

- i. The Local Spatial Development Framework for the area.
- ii. Tenure upgrading and formalisation of informal settlements
- iii. The layout of the settlement providing erven within the zone and the land use rights applicable to the erven.

4.2.3.3 The registered owner of an erf or property, abutting a Provincial and/or a National Road shall erect a physical barrier or a barrier of such other material, as may be approved by the relevant Controlling Authority and/or Municipality, in accordance with the standards laid down by the relevant Controlling Authority and/or Municipality, before or during the development of the property along the boundary of the property abutting the National and/or Provincial Road and shall maintain such physical barrier to the satisfaction of the relevant Controlling Authority and/or Municipality.

4.2.4 Capricorn Bioregional Management Zone

4.2.4.1 The declaring of bioregions and the gazetting of bioregional plans forms part of the legislated tools identified by the National Environmental Management: Biodiversity Act (Act No. 10 of 2004).

4.2.4.2 The purpose of a bioregional plan is to facilitate the safeguarding of biodiversity within identified biodiversity priority areas that fall outside of the Protected Area (PA) Network, that will inform land-use planning, environmental assessment and authorisations, and natural resource management.

4.2.4.3 The Table 3 contains guidelines on land use management objectives of each category on Biodiversity Areas.

4.2.4.3.1 The guidelines do not grant or remove existing land-use rights or take the place of development application authorisation processes.

4.2.4.3.2 The Capricorn Bioregional Management Zone will also be depicted as an overlay zone as part of CHAPTER 5: OVERLAY ZONES.

Table 3: Biodiversity Guidelines

Protected Areas	
Description	Formal Protected Areas and Protected Areas pending declaration under the Protected Areas Act.
Land Management Objective	Development subject to Protected Area objectives and zoning in a Protected Areas Act compliant and approved Protected Area Management Plan.
Recommendation	Maintain or obtain formal conservation protection.
Statutory Requirements	As per Government Notice No. R985, specified development activities proposed inside or within a certain proximity to a Protected Area identified in terms of Protected Areas Act will be subject to, at a minimum, a Basic Assessment Process.
Incompatible Land Use	<p>Mining is prohibited in Protected Areas (including National Parks, Nature Reserves, World Heritage Sites, Protected Environments, and Nature Reserves) and areas declared under Section 49 of the Mineral and Petroleum Resources Development Act.</p> <p>Mining may only be allowed in Protected Environments if both the Minister of Mineral Resources and Minister of Environmental Affairs approve it.</p>
Guidelines	<ul style="list-style-type: none"> ★ No Further loss of natural habitat should occur i.e. land in this category should be maintained as natural vegetation cover as far as possible. ★ Remove existing mining areas from PA network. Offset loss of PA/CBA1 by addition of area to the PA network. ★ Enforce environmental performance requirements for operation and closure of the mine(s). ★ Enforce Environmental Impact Assessment (EIA) and Water Use License (WULA) requirements in all Protected Areas. ★ Enforce planning controls to stop the development of incompatible land uses in Protected Areas. ★ Implement invasive species control plans in protected areas ★ Maintain formal protection in terms of the Protected Areas Act. ★ Prioritise conservation areas and PNRs for proclamation as PAs ★ Verify designation of PNRs and conservation areas.
Critical Biodiversity Areas (CBA1 and CBA2)	
Description	<p>CBA1: Irreplaceable Sites – areas that are essential for meeting biodiversity targets and where no alternative sites are available to meet the targets.</p> <p>CBA2: Optimal Sites-Areas selected to meet biodiversity targets where alternative sites may be available to meet targets, but these are the optimal sites based on spatial complementarity, efficiency connectivity and avoidance of conflict with other land uses.</p>
Land Management Objective	<p>Maintain in a natural state with limited or no biodiversity loss.</p> <p>Rehabilitate degraded areas to a natural or near natural state, and manage for no further degradation.</p>
Recommendation	Obtain formal conservation protection where possible.

	Implement appropriate zoning to avoid loss of intact habitat or intensification of land use.
Statutory Requirements	As per Government Notice No. R985, specified development activities that occur in the Limpopo Province within a CBA will be subject to, at a minimum, a Basic Assessment Process. Environmental screening, EIAs and their associated specialist studies must be conducted.
Incompatible Land Use	All activities with no environmental authorisation as well as activities not in line with environmental legislation
Guidelines	<ul style="list-style-type: none"> ★ No Further loss of natural habitat should occur i.e. land in this category should be maintained in natural condition i.e. as natural vegetation cover. ★ These areas of land can act as possible biodiversity offset receiving areas. ★ Prioritise CBAs for land care projects, Working for Water (WfW) and NGOs to direct their conservation projects, programmes and activities. ★ Prioritise CBAs for invasive alien plant removal. ★ Fire management regimes should be appropriate for the ecosystem type concerned. ★ Control of illegal activities (such as hunting and dumping), which impact biodiversity should be prioritized in CBA areas. ★ Capacitate local, district and provincial authorities to enforce the bioregional plan ★ Enforce EIA requirements in all CBA areas. Institute penalties if required, taking into account the biodiversity importance of the area. ★ Enforce WULA requirements in all CBA areas. Institute penalties if required, taking into account the biodiversity importance of the area. ★ Enforce planning controls to stop the spread of incompatible land use ★ Revise Mining Rights areas to exclude CBA areas in the bioregional plan ★ Enforce EIA requirements for mine expansion and new mines in all CBA areas regardless of mining right status. ★ Enforce planning controls to stop the expansion and development of mines in CBA areas ★ Enforce planning controls to stop the development of incompatible land uses in CBA areas

4.2.5 Institutional Management Zone

- 4.2.5.1 The purpose of this zone is to protect all community facilities or institutions from land uses that will lead to pollution or cause a nuisance.
- 4.2.5.2 All taverns, mortuaries, noxious uses, bottle stores and waste disposal sites should be discouraged within the 500 meter buffer around places of worship, places of instruction, community facilities, and clinics.
- 4.2.5.3 The following use conditions must be adhered to by properties within this zone:
- 4.2.5.3.1 The National Liquor Act: National liquor policy (Gazette 40321, Notice R1208) licensing requirements entails that liquor premises should be located at least five hundred meters (500m) away from schools, places of worship, recreation facilities, rehabilitation or treatment centres, residential areas and public institutions.

- 4.2.5.3.2 Any new applications for liquor licencing must comply to the National Liquor Policy, 2016, or other relevant policies, legislation or agreements by government entities.
- 4.2.5.3.3 Premises already licensed within the 500m radius and premises within high density locations will be accepted if they comply with the Norms and Standards issued occasionally, providing for amongst others, the issue of trading hours, noise, nuisance and pollution. In this regard, licensing authorities with their discretion may impose tighter trading conditions that trading hours of the outlets should not coincide with lessons during school hours.
- 4.2.5.3.4 Licensing authorities may, to their discretion, impose tighter trading conditions for trading hours of the outlets to not coincide with lessons during school hours.
- 4.2.5.3.5 Non-compliance in existing liquor premises to the use conditions as set out in this Scheme may result in a hefty penalty, suspension and/ or revocation of the registration or licence. However, there should be aggressive communication (corporate leniency for a period of a year) by all tiers of government on this issue.

4.3 INCENTIVES

- 4.3.1 Section 24 (2)(e) of SPLUMA requires municipalities to include land use and development incentives to promote the effective implementation of the Spatial Development Framework and other development policies.
- 4.3.2 The following incentives have been identified;

i. Financial Penalties

Municipalities can consider penalising a property owner if he/she contravenes the municipal land use scheme.

ii. Illegal Land Use Tariff

Each municipality compiles a tariff policy (in terms of the MFMA Municipal Finance Management Act) which includes, among other, a property rates tariff. If an owner is exercising an illegal land use, the municipality may introduce an illegal use tariff as part of the municipalities property rates tariffs. Using this method may force the property owner to try and “legalise” his land use rights in order to avoid paying the elevated property rates bill per month.

iii. Rainwater harvesting

The municipality may deduct a certain amount from any owner/s water utility bill should the owner make use of rainwater techniques and use less water as specified by the municipality.

iv. Green Building Initiative

The Green Building Council developed the Green Star SA rating tools to provide an objective measurement for green buildings in South Africa and Africa. These tools recognise and reward environmental leadership in the property industry. The Green Star tools are created for each building type and support design professionals and developers in creating a better built environment for people and planet. Should buildings comply to the green star criteria, the municipality may implement an incentive to lower property rates based on the criteria of the green building (e.g. the higher the rating, the lower the property rates).

CHAPTER 5: OVERLAY ZONES

The following Overlay Zones have been identified as part of the Blouberg Local Municipality Land Use Scheme:



5.1 MINING RIGHTS OVERLAY ZONE

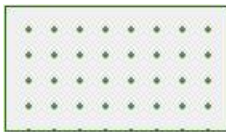
- 5.1.1 The zone is depicted on the Overlay Zone Map sheet as Mining OZ1.
- 5.1.2 Conditions applicable to areas with mining rights:
 - 5.1.2.1 The mining rights overlay zone depicts those farm portions that currently have an active right to mining.
 - 5.1.2.2 The overlay zone depicts such farm portions that may be subject to an extension of future mining activities.
 - 5.1.2.3 All open cast mines will be depicted within the zoning, however, the remaining farm portion can be subject to underground mining.
 - 5.1.2.4 Applicable inspections and processes should be applied to any formal township establishment application before approval by the Municipal Planning Tribunal.
 - 5.1.2.5 A holder of a mining right shall comply with Mineral and Petroleum Resources Development Act (MPRDA), Act No. 28 of 2002, specific focus on the rights and obligations as stipulated within Section 25 of the MPRDA.
 - 5.1.2.6 Future applications for mining rights on land shall comply with the MPRDA, specific focus on Section 10, Section 16(4)(b) and Section 54 of the MPRDA.
 - 5.1.2.7 If such future mining rights are approved in line with the MPRDA it shall be updated and included on the land use scheme maps.
- 5.1.3 Map depiction:



5.2 HIGH POTENTIAL AGRICULTURAL LAND

- 5.2.1 The zone is depicted on the Overlay Zone Map sheet as High Potential Agricultural Land OZ2.
- 5.2.2 Agriculture and all its related activities are the cornerstone for any developing country. Not only is agriculture an economic asset, as it assists in the creation of jobs and the alleviation of poverty, but it is also crucial in feeding a nation, which is essential for the well-being and growth of its citizens.
- 5.2.3 The Conservation of Agricultural Resources Act, 43 of 1983 (CARA) has the main objective to provide for the control over the utilization of the natural agricultural resources in order to promote the conservation of soil and water resources.

- 5.2.3.1 The Department of Agriculture, Land Reform and Rural Development (DALRRD) has embarked on a process to identify and demarcate high value agricultural areas suitable for continued long-term agricultural production purposes given the combination of the natural agricultural resource's capability and suitability. These demarcated areas will be called the **Protected Agricultural Areas (PAAs)** and will be gazetted as a Regulation under CARA, with supporting procedures and processes as well as permitted, conditional and non-permitted land uses for each of the PAAs.
- 5.2.3.2 However, until such time that the gazetting process has been finalised these areas will be referred to as "High Potential Agricultural Areas ((H)PAAs)".
- 5.2.4 The overlay zone provides a mechanism for the protection of "High Potential Agricultural Land".
- 5.2.5 Map depiction:



5.3 HERITAGE PROTECTION OVERLAY ZONE

- 5.3.1 The zone is depicted on the Overlay Zone Map sheet as Heritage Protection OZ3.
- 5.3.2 The overlay zone makes provision for the protection of heritage places entered on the heritage register maintained by the provincial heritage resources authority, and for the protection of heritage areas as provided for in terms of the heritage legislation.
- 5.3.3 The overlay zone provides a mechanism for the protection of heritage places the Municipal Council considers to be.
- 5.3.4 The following heritage places are deemed to be Heritage Protection Overlay Zones and shall be subject to the provisions of this overlay zone:
- 5.3.4.1 Any heritage place that has been entered into the register of heritage resources maintained by the provincial heritage resources authority in accordance with heritage legislation.
- 5.3.4.2 Any heritage place that has been designated a heritage area in accordance with heritage legislation; and
- 5.3.4.3 Any recorded heritage place or resources.
- 5.3.5 Notwithstanding Section 5.3.4.1 - 5.3.4.3, the Council may designate any heritage place that it considers to be conservative-worthy in terms of any developed heritage strategy as a Heritage Protection Overlay Zone, and such heritage place shall be subject to the provisions of this overlay zone.
- 5.3.6 Council shall record all Heritage Protection Overlay Zones, which may include heritage places or categories resources mapped on a digital inventory in terms of the Local Municipality's heritage strategies.
- 5.3.7 Map depiction:



5.4 CAPRICORN BIOREGIONAL MANAGEMENT ZONE

- 5.4.1 The zone is depicted on the Overlay Zone Map sheet as Capricorn Bioregional Management OZ4.
- 5.4.2 The declaration of bioregions and the gazetting of bioregional plans forms part of the legislated tools identified by the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004), hereafter referred to as the Biodiversity Act, to aid in the conservation and management of South Africa's biodiversity.
- 5.4.3 The overlay zone makes provision for the protection of Critical Biodiversity Areas (CBA's), Ecological Support Areas (ESA's).
- 5.4.4 The primary objectives of the bioregional plan are:
- 5.4.4.1 To avoid or prevent loss and degradation of biodiversity in the priority areas (CBAs, ESAs) - terrestrial and aquatic features.
- 5.4.4.2 To inform land-use planning and decision-making.
- 5.4.5 The following limitations apply to this bioregional plan:
- 5.4.5.1 The bioregional plan does not negate the need for site assessments, particularly EIAs required in terms of NEMA. *On site verification of identified CBAs and ESAs is still required.*
- 5.4.5.2 The systematic biodiversity plan is designed to be used, at a minimum, on a 1:50 000 scale which provides a broad overview of the entire Limpopo Province. While this plan can be used at a finer scale, specialist interpretation of the specific features identified will be required on a site level.
- 5.4.5.3 Continuous changes to land use and land use patterns, both legal and illegal, may result in encroachment into natural areas / CBAs, and as a result, additional areas may need to be reassigned or designated as CBAs in order to meet biodiversity targets as set out in the Limpopo Conservation Plan.
- 5.4.6 The following land management objectives apply to this bioregional plan:

CATEGORY	DEFINITION/DESCRIPTION	OBJECTIVES	RECOMMENDATIONS
Critical Biodiversity Area 1 (CBA1)	<ul style="list-style-type: none"> Irreplaceable sites. Areas that are essential for meeting biodiversity targets. No alternative sites are available to meet targets. 	<ul style="list-style-type: none"> Maintain in a natural state with limited or no biodiversity loss. Rehabilitate degraded areas to a natural or near natural state and manage for no further degradation. 	<ul style="list-style-type: none"> Obtain formal conservation protection where possible. Implement appropriate zoning to avoid loss of intact habitat or intensification of land use.
Critical Biodiversity Area 2 (CBA2)	<ul style="list-style-type: none"> Areas selected to meet biodiversity targets. Alternative sites may be available to meet targets, but these are the optimal sites based on complementarity, connectivity, and avoidance of conflict with other land uses. 	<ul style="list-style-type: none"> Maintain in a natural state with limited or no biodiversity loss. Rehabilitate degraded areas to a natural or near natural state and manage for no further degradation. 	<ul style="list-style-type: none"> Obtain formal conservation protection where possible. Implement appropriate zoning to avoid loss of intact habitat or intensification of land use.
Ecological Support Area 1 (ESA1)	<ul style="list-style-type: none"> Natural, near natural and semi-natural or degraded areas that support the ecological functioning of CBAs and protected areas 	<ul style="list-style-type: none"> Maintain ecosystem functionality and connectivity allowing for limited loss of biodiversity pattern. 	<ul style="list-style-type: none"> Implement appropriate zoning and land management guidelines to avoid impacts on ecological processes and connectivity.

	and maintain ecological processes.		<ul style="list-style-type: none"> • Avoid intensification of land use. • Avoid fragmentation of natural landscape.
Ecological Support Area 2 (ESA2)	<ul style="list-style-type: none"> • Areas with no natural habitat that are nevertheless important for supporting ecological processes. 	<ul style="list-style-type: none"> • Avoid additional / new impacts on ecological processes. • Ensure that land use is not intensified and that activities are managed to minimise impact on threatened species. 	<ul style="list-style-type: none"> • Avoid intensification of land use, which may result in additional impact on ecological processes. • Avoid conversion of agricultural land to more intensive land uses to more intensive forms of agriculture, which may have a negative impact on threatened species or ecological processes.

Source: (LEDET, 2019:22)

5.4.7 The following land uses are compatible in CBA1 and CBA2 areas:

- Conservation and associated activities.
- Extensive game farming and ecotourism operations with strict control on environmental impacts and carrying capacity.
- Extensive livestock production with strict control on environmental impacts and carrying capacity.
- Required support infrastructure for the above.
- Municipal Open Space for conservation purposes.

5.4.8 The following land uses are incompatible in CBA1 and CBA2 areas:

- Urban land uses (residential, golf estates, rural residential, resorts, business, mining and industrial infrastructure such as roads, power lines and pipelines).
- Intensive animal production (all types including dairy farming, feedlots, imported foodstuffs and improved / irrigated pastures).
- Arable agriculture (forestry, dryland and irrigated cropping).
- Smallholdings

5.4.9 However, from the activities listed in section 5.4.8, certain activities may be permitted (low density rural housing/eco-estate, Medium impact tourism/recreational and accommodation and linear engineering structures) subject to detailed impact assessments to ensure that developments are designed to ensure the CBA network still meets the requires targets.

5.4.10 Where development proposals other than the preferred biodiversity-compatible land-uses (see table above) are submitted in terms of the NEMA: EIA Regulations or land development application process:

5.4.10.1 A Screening Exercise should be undertaken by a Biodiversity Specialist or Ecologist to verify the CBA map category on site.

5.4.10.2 If the site is verified as a CBA, developments other than the preferred biodiversity-compatible land-uses should be investigated in detail and the mitigation hierarchy applied in full.

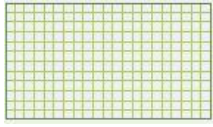
5.4.10.3 If the application is pursued, they should be informed by a specialist biodiversity assessment.

5.4.10.4 EIA's and their associated specialist studies should focus on confirming the presence and significance of these biodiversity features, identifying features (e.g. threatened species) not included in the existing datasets, and on providing site-specific information to guide the application of the mitigation hierarchy.

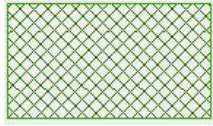
5.4.10.5 If mining authorisation is granted:

5.4.10.6 The authorisations should set limits on allowed activities and impacts and may specify biodiversity offsets that would be written into licence agreements and/or authorisations. This must be monitored to ensure that these limits and biodiversity offsets are implemented site-specific information to guide the application of the mitigation hierarchy.

5.4.11 Map depiction:



CBA 1



CBA 2

5.5 ENVIRONMENTAL MANAGEMENT OVERLAY ZONE

5.5.1 The zone is depicted on the Overlay Zone Map sheet as Environmental Management OZ5.

5.5.2 The purpose of this overlay zone is to guide development with regard to environmental constraints that might have an impact on development such as, high swelling clays, dolomitic areas and steep slopes.

5.5.3 Applicable processes should be followed subject to any formal township establishment applications.

5.5.4 Map depiction:



5.6 HYDROLOGY OVERLAY ZONE

5.6.1 The zone is depicted on the Overlay Zone Map sheet as Hydrology OZ7.

5.6.2 The purpose of this overlay zone is to ensure the sustainability of natural water supply in the Municipality. In addition, residents of the municipality should also be protected from the adverse effects of being located too close to surface water.

5.6.3 In the absence of 1:50 year and 1:100-year flood lines, the following development controls apply:

5.6.3.1 No development allowed within 100 m of the centre line of a perennial and non-perennial river outside a township boundary, as indicated on the Use Zone Maps.

5.6.3.2 No development allowed within 32 m of the centre line of a perennial and non-perennial river within a township boundary, as indicated on the Use Zone Maps.

5.6.3.3 No development allowed within 50 m of the outside figure of all inland water bodies (wetlands and dams) outside a township boundary, as indicated on the Use Zone Maps.

5.6.3.4 No development allowed within 32 m of the outside figure of all inland water bodies (wetlands and dams) within a township boundary, as indicated on the Use Zone Maps.

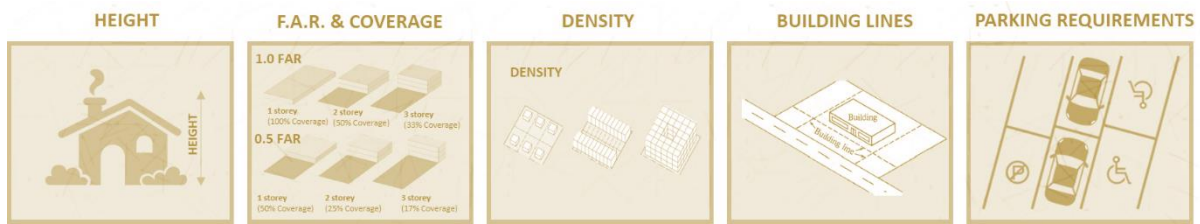
5.6.4 Wetlands and rivers shall not be modified or transformed through landscaping.

5.6.5 No development shall take place within hydromorphic grassland.

5.6.6 Map depiction:



CHAPTER 6: DEVELOPMENT CONTROLS, REGULATIONS AND CRITERIA



6.1 GENERAL

6.1.1 Height, F.A.R., Coverage, Density, Building Lines, Parking and Loading Requirements shall be determined as set out in the Land Use Zones (Chapter 3) unless otherwise specified in terms of written consent from the local municipality.

6.2 HEIGHT

6.2.1 In calculating the height for any building, the following must be taken into account:

6.2.1.1 The Municipality may permit the maximum number of storeys to be exceeded if it is satisfied that the greater height is necessary or desirable as a result of the topography and location of the site.

6.3 F.A.R.

6.3.1 Means the ratio obtained by dividing the floor area of a building or buildings by the total area of the erf or site upon which the building(s) are erected.

$$\text{FAR} = \frac{\text{Floor Area of a building or buildings}}{\text{Total Area of the erf or site upon which the building(s) are erected}}$$

6.3.2 The FAR describes the intensity of the use on a site and not the site coverage.

6.3.3 In calculating floor area of any development, the following shall be excluded:

- i. Parking lots
- ii. Parking Structures
- iii. Permeable Car Ports
- iv. Stairwells
- v. Refuse Areas

6.4 COVERAGE

6.4.1 For purposes of calculating the coverage on a property structures which are not covered by a roof shall not be taken into account, e.g swimming pools, tennis courts, retaining walls, unroofed stoep, etc.

6.5 RESIDENTIAL DENSITY

6.5.1 The density of a property shall be determined as per the Land Use Zone (Chapter 3).

6.6 BUILDING LINES

- 6.6.1 No buildings or structure, other than boundary walls, fences or temporary buildings or structures which are required in connection with building operations be executed on the property, shall be erected within any building restriction area, except with written consent from the local municipality.
- 6.6.2 Any building line along a proposed new road or widening shall be measured from that boundary of such proposed road or widening which is the common boundary of the road or widening and the remaining part of the property to which the building line applies.
- 6.6.3 The Municipality may on written application by:
- i. an owner, including the State, of the land concerned;
 - ii. a person acting as the duly authorised agent of the owner;
 - iii. a person to whom the land concerned has been made available for development in writing by an organ of state or such person's duly authorised agent; or
 - iv. a service provider responsible for the provision of infrastructure, utilities or other related services.
- 6.6.3.1 Relax the building line on any boundary other than a street boundary of any erf upon consolidation of such erf with an adjoining erf.
- 6.6.3.2 Permit the erection of a swimming pool or a tennis court within the building restriction area.

6.7 PARKING AND LOADING REQUIREMENTS



- 6.7.1 Effective and paved on-site parking spaces for the disabled as well as designated bays, marked as Parents with Prams with the necessary manoeuvring area shall be provided for a development as set out in Table 4: Parking Requirements for the disabled and parents with prams.
- 6.7.2 Bus stops and parking spaces should accommodate wheelchair users and parents with prams.
- 6.7.3 Effective and paved on-site parking and loading spaces together with the necessary manoeuvring area shall be provided for a development as set out in Table 5: Parking and Loading Requirements.
- 6.7.4 The Municipality may relax or waive the parking and loading requirements if it is of the opinion that adequate parking already exists in the vicinity of the site; provided further that in the event of such relaxation or waiving the applicant shall pay a cash contribution to the Municipality in lieu of the provision of such parking spaces, provided further that any owner may provide the parking area required in terms of this clause on any alternative site approved by the Municipality and such site shall be notarial bound to the subject site.

- 6.7.5 The owner of a building in respect of which parking spaces are required in terms of this clause shall keep such parking spaces in a proper condition for such purpose to the satisfaction of the Municipality.
- 6.7.6 The loading and off-loading of goods shall take place only within the boundaries of the erf to the satisfaction of the Municipality unless the Municipality has provided loading facilities in the street reserve
- 6.7.7 Visitor's parking spaces may not be reserved temporarily or permanently whether it is for payment or not.
- 6.7.8 The Municipality may require that parking be provided for motorcycles and bicycles.
- 6.7.8.1 The minimum dimension for a motorcycle space is 2,2 metres in length and 1 metre in width; and
- 6.7.8.2 The minimum dimension for a bicycle space is 2 metres in length and 0,6 metres in width.



Table 4: Parking Requirements for the Disabled & Parents with Prams

Disabled Parking Requirements	
Description	
<ul style="list-style-type: none"> If you have a disability, you can apply for a disabled parking disc from your municipality. To qualify for the disc, you will need to have a letter from your doctor that explains the nature and constraints of your disability. A disabled parking disc allows you to park in allocated disability parking bays and exempts you from parking provisions in certain circumstances. If you are issued with a disabled parking disc, you will need to display the disc clearly on your windscreen at all times. Confirm that your disabled parking disc is valid when travelling to other regions by phoning the local authority in advance, disabled parking discs issued by any local authority may not automatically be recognised by any other local authority. 	
Valid	Requirements to qualify for disk
<ul style="list-style-type: none"> a period of 6 months if the applicant's condition is temporary, or for 24 months if the applicant's condition is of a more permanent nature based on the medical assessment. 	<p>To qualify for a disabled parking disc, your doctor will have to:</p> <ul style="list-style-type: none"> write a letter explaining your disability, and complete the form that you can get from any Driving licence Testing Centre and needs to confirm that: <ul style="list-style-type: none"> your mobility is severely impaired by an ongoing mental or physical condition, or your mobility is temporarily but severely impaired. To apply for the disk, you will need to submit the following document, along with your completed form. <ul style="list-style-type: none"> your ID document, 2 ID photographs, the prescribed fee, and the doctor's letter (check with the local municipal traffic office where you apply if they require this).
Additional Information	
Please contact your local municipal traffic department for more information and to confirm their office hours and what the prescribed fee is.	

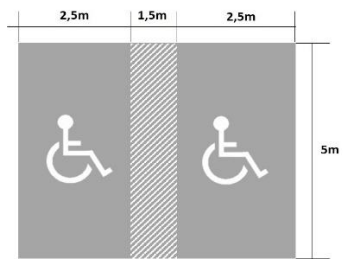
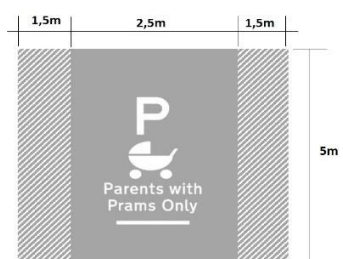
Parking Space Requirements	
Total Number of Parking Spaces	Required number of bays
1-30	1
31-60	2
61-90	3
91-120	4
For every additional 50 bays	1 additional parking bay
Design Requirements	
<ul style="list-style-type: none"> - parking bays must be a minimum of 2,5 metres in width, an extra aisle of 1,5 metres in width and 5 metres in length; - parking and access aisles must be level; - parking bays must be located as near as possible to accessible building or site entrances, and must be located to provide convenient access to kerb ramps; - each parking bay reserved for physically disabled persons must be marked on the parking surface with the international symbol of disabled accessibility; 	
	
Parents with Prams Parking Requirements	
Description	
To provide adequate parking for parents with prams	
Parking Space Requirements	
Total Number of Parking Spaces	Required number of bays
1-20	1
21-40	2
41-60	3
For every additional 50 bays	1 additional parking bay
Design Requirements	
<ul style="list-style-type: none"> - parking bays must be a minimum of 2,5 metres in width, an extra aisle of 1,5 metres in width and 5 metres in length; - parking and access aisles must be level; - parking bays must be located as near as possible to accessible building or site entrances, and must be located to provide convenient access to kerb ramps; - each parking bay reserved for parents with prams must be marked on the parking surface with the symbol of "parents with prams only"; 	
	

Table 5: Parking and Loading Requirements

Land Use	Number of Parking spaces to be provided	Requirements for loading spaces and areas.
Abattoir	5 spaces for the first 1000m ² floor area or part thereof and 2 spaces for every 1000m ² thereafter, or part thereof.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Adult Entertainment Business	6 spaces per 100m ² public floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Additional Dwelling	1 per additional dwelling	N/A
Agricultural Industry	1 space per 100m ² floor area and 3 spaces per 100m ² office floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Agri-Village	2 Spaces per every 3 dwelling units.	At least 1 space.
Additional House	1 per additional house	N/A
Aerodrome / Airport	2 spaces for the first 100m ² floor area or part thereof and 1 space for every 100m ² thereafter, or part thereof.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Agricultural Purposes	1 Space per every 3 dwelling units.	N/A
Airfield	2 spaces for the first 100m ² floor area or part thereof and 1 space for every 100m ² thereafter, or part thereof.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Animal Refuge	3 spaces per 100m ² floor area.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Auction Centre	40% of property reserved for parking and loading requirements	
Bakery	3 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Bed & Breakfast	1 space per bedroom	N/A
Boarding House	1 space per room and 1 space for every 3 rooms.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Botanical Garden	3 spaces per hectare or part thereof.	N/A
Brickyard	40% of property reserved for parking and loading requirements.	
Builders' Yard	2 per 100m ² parking gross leasable area	2 per 1000m ² parking per gross leasable area
Bulk Retail Trade	3 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Camping Site	1 Space per tent or caravan or mobile dwelling unit site and 4,5 spaces per 100 m ² office floor area and 1 space per 4 seats and 6 spaces per 100m ² place of refreshment public floor area and 6 spaces per 100 m ² retail floor area.	1 Space per first 2000 m ² place of refreshment or retail floor area, or part thereof and 1 space per every 2000 m ² place of refreshment or retail floor area thereafter.
Canteen	2 Spaces per 100 m ² floor area.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.

Land Use	Number of Parking spaces to be provided	Requirements for loading spaces and areas.
Caravan Park	2 per 100m ² parking gross leasable area	2 per 1000m ² parking per gross leasable area
Caretaker's Flat	1 per additional dwelling	N/A
Carwash	6 spaces per 100m ² area or part thereof.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Cemetery	40% of property reserved for parking and loading requirements	
Commercial Use	2 per 100m ² parking gross leasable area	2 per 1000m ² parking per gross leasable area
Coal Yard	40% of property reserved for parking and loading requirements	
Commonage	6 Spaces per 100m ² informal trade floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Commune	3 spaces per 100m ² floor area	N/A
Confectioner	6 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Community Facility	2 per 100m ² parking gross leasable area	N/A
Conference Centre	6 spaces per 100m ² floor area and 1 space per 4 seats	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Crematorium	3 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Crèche	1 space for every 4 children	1 space per first 2000m ² floor area or part thereof and 1 space per every 2000m ² floor area thereafter.
Day Care Facility	1 space per 5 children	N/A
Dry Cleaner	3 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Dispensing Chemist	3 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Distribution Centre	1 space per 100m ² floor area and 3 spaces per 100m ² office floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Dwelling unit/s	2 spaces per dwelling	N/A
Dormitory Establishment	1 space per bedroom	N/A
Duet Dwelling	1 space per dwelling	N/A
Drive-Thru Restaurant	6 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Dry Cleaner	3 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Dwelling House	1 space per dwelling	N/A

Land Use	Number of Parking spaces to be provided	Requirements for loading spaces and areas.
Early Childhood Development Centres	1 space for every 4 children.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Environmental Facilities	6 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Factory	1 space per 100m ² floor area and 3 spaces per 100m ² office floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Factory Shop	6 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Farm Stall	6 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Filling Station / Service Station	40% of property reserved for parking and loading requirements and 6 spaces per 100m ² retail floor area.	
Flats	2 spaces per dwelling	N/A
Funeral Parlour	2 per 100m ² parking gross leasable area	1 space per erf
Gaming Establishment	6 spaces per 100m ² floor area and 1 space per 4 seats	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Garden Centre	6 spaces per 100m ² display floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Garden Service Establishment	3 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Government Purposes	4, 5 spaces per 100m ² office floor area and 6 spaces per 100m ² public floor area and 1 space per 4 seats.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Group Housing	2 spaces per dwelling	N/A
Guest House	1 space per guest room	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Guest Lodge	2 per dwelling	N/A
Gymnasium	6 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Heavy Vehicle Parking Depot	40% of property or site reserved for parking and loading requirements	
Helicopter Landing Pad or Heliport	4, 5 Spaces per 100m ² office floor area, 1 space per 100m ² repair facility and 1 space per rotary wing aircraft storage unit.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
High-Intensity Land Uses	40% of property or site reserved for parking and loading requirements	
Home Occupation	2 per 100m ² parking gross leasable area	N/A
Hotel	1 per bedroom & 6 per 100m ² public space	1 space per erf

Land Use	Number of Parking spaces to be provided	Requirements for loading spaces and areas.
Hospital	1 space per bed	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Industrial Use	1 per 100m ² Industry & 2 per 100m ² office parking gross leasable area	2 spaces per 1000 m ² parking gross leasable area
Industry	1 space per 100m ² floor area and 3 spaces per 100m ² office floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Institutional Purposes	1 per 100m ² parking gross leasable area or 0, 7 per bed for medical use.	2 spaces per first 300m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Informal Business	3 Spaces per 100m ² floor area.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Informal Structure	1 space per dwelling	N/A
Institution	6 spaces per 100m ² floor area and 1 spaces per 4 seats	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Jail / Prison	4, 5 Spaces per 100m ² office floor area and 1 space per 10 holding cells.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Kiosk	4 per 1000m ² parking gross leasable area or 1 per 6 seats	N/A
Laboratory	3 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Launderette	6 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Light Industry	1 space per 100m ² parking gross leasable area for industry & 2 per 100m ² parking gross leasable area for offices.	2 per 1000m ² parking gross leasable area
Liquor Enterprise	4 spaces per 1000m ² parking gross leasable area or 1 per 6 seats	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Lodge	1 space per guest room or suite and 6 spaces per 100m ² public floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Medical Suites	4,5 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Medical Consulting Rooms	6 per 100m ² parking gross leasable area	N/A
Mining Purposes	40% of property or site reserved for parking and loading requirements	
Mobile Dwelling Unit	40% of property reserved for parking and loading requirements	
Mobile Home	1 parking space per mobile home	N/A
Motel	1 space per guest room or suite and 6 spaces per 100m ² public floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.

Land Use	Number of Parking spaces to be provided	Requirements for loading spaces and areas.
Motor Graveyard	3 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Motor Trade	6 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Mortuary	3 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Municipal Purposes	4, 5 spaces per 100m ² office floor area and 6 spaces per 100m ² public floor area and 1 space per 4 seats.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Municipal Services	4, 5 spaces per 100m ² office floor area and 6 spaces per 100m ² public floor area and 1 space per 4 seats.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Nature Reserve	1 spaces per 100m ² floor area and 3 spaces per 100m ² office floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Noxious Industry / Noxious Trade	1 per 100m ² parking gross leasable area for industry & 2 per 100m ² parking gross leasable area for offices.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Nursery	2 per 100m ² parking gross leasable area	1 space per erf
Office or Offices	2 per 100m ² parking gross leasable area or 4 per 100m ² parking gross leasable area for medical purposes	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Outbuilding	1 space per building	N/A
Overnight Accommodation	1 space per guest room	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Panel Beating	1 per 100m ² parking gross leasable area for industry & 2 per 100m ² parking gross leasable area for offices.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Parsonage	1 space per dwelling.	N/A
Petro-Port	40% of property reserved for parking and loading requirements	
Place of Amusement	1 space per 4 seats and 6 spaces per 100m ² public floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Place of Assembly	1 space per 8 seats	N/A
Place of Entertainment	1 space per 4 seats or 6 per 100m ² parking gross leasable area	N/A
Place of Instruction	1 space per 100m ² parking gross leasable area	N/A
Place of Education	2 Spaces per 100m ² office floor area and 1 space per classroom and 5 drop-off spaces for passenger vehicles per 100 students.	1 drop-off space for buses per 100 students.

Land Use	Number of Parking spaces to be provided	Requirements for loading spaces and areas.
Place of Worship	1 space per 6 seats	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Place of Refreshment	10 spaces per 100m ² public floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Private Club	4 spaces per 100m ² parking gross leasable area	2 spaces per 1000m ² parking gross leasable area
Private Open Space	1 Space per 100m ² sport, recreation or play area.	N/A
Professional Rooms	4 spaces per 100m ² parking gross leasable area	N/A
Public Garage	4 spaces per 100m ² parking gross leasable area	N/A
Public Garden	2 spaces per 100m ² parking gross leasable area	2 spaces per 1000m ² parking gross leasable area
Public Open Space	1 Space per 100m ² sport, recreation or play area.	N/A
Public Park	4 per 100m ² parking gross leasable area	N/A
Public Square	4 spaces per 100m ² parking gross leasable area	N/A
Railway Purposes	2 spaces per 100m ² parking gross leasable area	2 spaces per 1000m ² parking gross leasable area
Railway Station	4, 5 spaces per 100m ² office floor area and 6 spaces per 100m ² public floor area and 1 space per 4 seats.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Recreation Facility	4 spaces per 100m ² parking gross leasable area	2 spaces per 1000m ² parking gross leasable area
Recycling Centre	4 spaces per 100m ² parking gross leasable area	2 spaces per 1000m ² parking gross leasable area
Refuse Room	1 space per room and 1 space for every 3 rooms.	N/A
Residential Building	2 spaces per dwelling	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Residential Hotel	1 spaces per room and 6 spaces per 100m ² public floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Residential Use	1 space per room and 1 space for every 3 rooms.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Resort	1 space per room and 6 spaces per 100m ² public floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Restaurant	6 spaces per 100m ² floor area.	Sufficient dedicated on-site loading and delivery space to the satisfaction of the municipality.

Land Use	Number of Parking spaces to be provided	Requirements for loading spaces and areas.
Retirement Village	1 per dwelling unit or 1 p/b per 2 or 3 dwelling units, 1, 25/ flat and / or 0,7/bedroom	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Recycling Centre	3 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Retail Shop	6 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Riding Stables	0,7 spaces per stable	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Sawmill	3 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Scrap Yard	3 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Second Dwelling Unit	1 space per dwelling	N/A
Semi-Detached Unit	1 space per dwelling	N/A
Service Enterprise	3 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Service Industry	3 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Service Retail	3 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Service Trade	1 per 100m ² parking gross leasable area	Not applicable
Service Yard	40% of property reserved for parking and loading requirements	
Sewer Purification Plant / Sewerage Works	40% of property reserved for parking and loading requirements	
Shelter	1 per 100m ² parking gross leasable area	N/A
Shop	6 per 100m ² parking gross leasable area for Business 1, 2 per 100m ² parking gross leasable area for Business 2.	2 per 1000m ² parking gross leasable area
Shopping Centre	4 spaces per 100m ² trade floor area and 3 spaces per 100m ² office floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Shopping Complex	4 spaces per 100m ² trade floor area and 3 spaces per 100m ² office floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Showgrounds	1 space per 4 seats and 6 spaces per 100m ² public floor area.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.

Land Use	Number of Parking spaces to be provided	Requirements for loading spaces and areas.
Showrooms	4 spaces per 100m ² floor area	2 spaces per 1000m ² parking gross leasable area
Site	1 space per structure	2 spaces per 1000m ² parking gross leasable area
Social Hall	2 spaces per 100m ²	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Spa / Hydro and Wellness Centre	1 spaces for every 4 seats and 6 spaces per 100m ² public floor area.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Sports Facilities	1 space per 4 seats and 6 spaces per 100m ² public floor area.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Sports Fields	1 space per 4 seats and 6 spaces per 100m ² public floor area.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Sports Ground / Sports and Recreational Grounds	1 space per 4 seats and 6 spaces per 100m ² public floor area.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Structure	1 space per structure	N/A
Substation	6 spaces per 100m ² floor area	N/A
Take-Away	1 spaces for every 4 seats and 6 spaces per 100m ² public floor area.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Taxi Rank	4, 5 spaces per 100m ² office floor area and 6 spaces per 100m ² public floor area and 1 space per 4 seats.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Tavern	2 spaces per 100m ² floor area	N/A
Teagarden	6 spaces per 100m ² floor area	N/A
Town Houses	2 spaces per dwelling	N/A
Telecommunication Centre	6 spaces per 100m ² floor area	
Totalisator	6 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Tourist Facilities	6 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Traditional Healing Practice	3 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Transmission Tower	As approved by the Municipality.	As approved by the Municipality.
Transport Usage	As approved by the Municipality.	As approved by the Municipality.
Truck Stop	40% of property reserved for parking and loading requirements and 6 spaces per 100m ² retail floor area.	
Tuck / Spaza Shop	1 space on-site.	N/A
Urban Agriculture	40% of property reserved for parking and loading requirements	
Utility Services	40% of property reserved for parking and loading requirements	

Land Use	Number of Parking spaces to be provided	Requirements for loading spaces and areas.
Vehicle Sales Market / Vehicle Workshop	3 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Veterinary Clinic	3 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Wall of Remembrance	3 parking bays for every 20 slots.	N/A
Warehouse	1 space per 100m ² floor area and 3 spaces per 100m ² office floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Warehousing and Packaging	1 space per 100m ² floor area and 3 spaces per 100m ² office floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Waste Disposal Site	40% of property reserved for parking and loading requirements	
Wholesale Trade	1 space per 100m ² trade floor area and 3 spaces per 100m ² office floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Wood Yard	40% of property reserved for parking and loading requirements	
Workshop	6 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Zoological garden	6 spaces per hectare uncovered exhibition floor area and 4, 5 spaces per 100m ² covered exhibition floor area.	1 Space per first 2000 m ² covered or uncovered floor area, or part thereof and 1 space per every 2000 m ² covered floor area thereafter

6.7.9 Effective and paved parking and loading spaces as indicated under in Table 5, together with the necessary manoeuvring area, disabled parking bays and where applicable emergency parking bays, shall be provided on the property to the satisfaction of the Municipality, provided that:

- a) the Municipality may, on receipt of a written application and an accompanied site plan relax or waive the provisions of this Clause in the Central Business District (CBD) (as demarcated from time to time) and the land within the urban edges of the municipality, if the Municipality is of opinion that adequate parking already exists in the vicinity of the site, provided further that:
 - i. in the event of such relaxation or waiving, the applicant shall pay a cash contribution to the Municipality in lieu of the provision of such parking spaces, that will be used solely for the provision of parking in the vicinity of the site; and
 - ii. which shall be included in a report by a suitably qualified professional:
 - ★ Accessibility of the property for private or public transport;
 - ★ The availability of existing parking and/or public transport facilities in the vicinity of the property;
 - ★ Availability of off-street parking in the vicinity of the property;
 - ★ The number of staff members and customers related to the use of the property;
 - ★ The socio-economic structure and density of the population which the development serves;
 - ★ The size and nature of the proposed development and the size of vehicles likely to be used in connection with the proposed development;
 - ★ The likelihood of a reduction in parking provision causing injury to the amenity of the area in which it is, or will be situated including, without prejudice to the generality of the foregoing, increased traffic and parking difficulties;
 - ★ The likelihood of parking shared by different land uses;

- ★ The provision of a formal taxi rank provided for on Business 1 and 2 zonings only; or a taxi drop-off bay provided on Residential 3 zoning
 - iii. any owner may provide the parking area required in terms of this clause on any alternative site approved by the Municipality.
 - b) the owner of a building in respect of which parking or loading spaces are required in terms of this Clause shall keep such parking spaces in a proper condition for such purpose to the satisfaction of the Municipality and may erect such parking spaces as required in this Clause and approved by the Municipality at the cost of the applicant, to the satisfaction of the Municipality;
- 6.7.10 The Municipality may permit the provision of parking spaces to its satisfaction elsewhere than on the property, or a monetary contribution in lieu thereof, which shall be calculated according to the following formula:
- (Mw x Po x Pp) + Pp x Kk, in which formula;*
- Mw = municipal valuation per square metre of the land*
- Po = parking space area of 25m²*
- Pp = number of parking spaces the developer has to provide*
- Kk = construction cost per parking space as determined by the Municipality from time to time*
- 6.7.11 The Municipality may permit the provision of loading spaces elsewhere than on the property to its satisfaction, or a monetary contribution in lieu thereof, which contribution may be utilised for the provision and building of loading spaces only. Such contribution shall be calculated according to the following formula:
- (Mw x Lo x Lr) + Lr x Kk, in which formula-*
- Mw = municipal valuation per square metre of the land*
- Lo = loading space area of 30m²*
- Lr = number of loading spaces the developer has to provide*
- Kk = construction cost per loading space as determined by the Municipality from time to time*
- 6.7.12 The facilities to be provided for parking in terms of this clause shall not be used for the purposes of exhibition, sale, repair or maintenance of vehicles or for any purpose other than the parking of vehicles.
- 6.7.13 If additions to any existing building (other than a single dwelling unit) are undertaken which, in the opinion of the Municipality, are not of such extent as to warrant the provision of parking and manoeuvring space, the Municipality may, in its discretion, relax the requirement of Table 5.
- 6.7.14 The Municipality may, after receipt of building plans submitted in terms of its by-laws, require the owner to submit, for its approval, proposals for the provision of suitable and sufficient facilities on the erf for the loading, unloading, fuelling, parking of vehicles or for the storage of refuse containers.
- 6.7.15 If the Municipality requires the submission of any proposals in terms of this clause or if the owner submits proposals together with any building plan, the Municipality shall within 30 days, either approve the proposals with or without modification or disapprove of them and, in the event of refusal, furnish reasons for such refusal to the applicant in writing.
- 6.7.16 No owner or occupant of a building in respect of which proposals in terms of this clause are required, shall undertake or knowingly permit the loading, unloading, parking, fuelling of vehicles or permit the storage of refuse containers other than in accordance with approved proposals unless such requirements have been relaxed or altered by Municipality.

- 6.7.17 The parking and loading spaces required in terms of this Scheme may be reduced by the Municipality in special circumstances.
- 6.7.18 Parking for residential purposes in the residential use zones must, except where the Municipality permits otherwise, be provided on the ground floor or in the basement only.
- 6.7.19 The Municipality may consent to 100 % coverage for the Business 1 and Commercial Zone where the property borders onto the public parking areas in the CBD.
- 6.7.20 Further parking and site access requirements:
- a) The vehicular access/exit ways will be restricted to not more than one each per site per street abutting the site.
 - b) The vehicular access/exit ways will be restricted to a maximum total width of 6 metres where they cross the street boundary.
 - c) If the corner at a street intersection is not splayed, vehicular access/exit ways will not be closer than 10 metres to such a corner.
 - d) If the corner at a street intersection is splayed, vehicular access/exit ways will not be closer than 10 metres to such a corner or 5 metres measured from the point where the splay reaches the road boundary, whichever is the greater distance from the corner.
 - e) Such parking areas will only be used for the parking of vehicles which are lawfully allowed on them and may not be used for trading or any other purposes.
 - f) The way in which it is intended that vehicles should park in and gain access to or exit from such parking areas will be indicated on a plan which should be submitted to the Municipality, who may approve or reject it or lay down any conditions deemed necessary by it.
 - g) The Municipality may lay down more restrictive requirements than those mentioned if deemed necessary from a traffic point of view.

CHAPTER 7: DEVELOPMENT REGULATIONS

7.1 SITE DEVELOPMENT PLANS

A site development plan is a plan or set of plans illustrating the detailed aspects of a proposed development. The purpose of a site development plan is to regulate additional matters that have not already been covered in any earlier conditions of approval or the applicable zoning scheme regulations/development parameters. Such matters would typically include the positioning of buildings, architectural details, etc. However, nothing in the site development plan is supposed to substitute or duplicate any existing regulations.

- 7.1.1 The applicant shall submit a Site Development Plan for approval where so required by the Municipality, and the Municipality may require that a Site Development Plan be submitted in support of an application for land use rights,
- 7.1.2 No building shall be erected on the property before such site development plan has been approved by the Local Municipality and the whole development on the property shall be in accordance with the approved site development plan: Provided that the plan may, from time to time be amended with the written consent of the Local Municipality: Provided further that amendments or additions to buildings which in the opinion of the Local Municipality will have no influence on the total development of the property, shall be deemed to be in accordance with the approved site development plan. Such site development plan shall show at least the following:
 - 7.1.2.1 existing and proposed cadastral boundaries,
 - 7.1.2.2 the height, coverage, positioning and the floor area ratio of all buildings and structures on site;
 - 7.1.2.3 vehicular entrances and exits to and from the property, internal roads and parking areas;
 - 7.1.2.4 entrances to buildings and parking areas;
 - 7.1.2.5 building restriction areas (if any);
 - 7.1.2.6 the elevational and architectural treatment of all buildings and structures;
 - 7.1.2.7 the Local Municipality may, after receipt of building plans submitted in terms of its by-laws, require the owner to submit, for its approval, proposals for the provision of suitable and sufficient facilities on the erf for the loading, unloading, fuelling, parking of vehicles or for the storage of refuse containers.
- 7.1.3 The Local Municipality shall not approve any building plan which does not comply with the proposals in the approved site development plan with particular reference to the elevational and architectural treatment of the proposed building or structure.
- 7.1.4 The Site Development Plan shall be approved by the Municipality prior to the approval of building plans for the development.
- 7.1.5 Buildings may be sited contrary to any provision of the local authorities building by-laws, if such siting is in accordance with an approved site development plan.
- 7.1.6 The 1:100 year flood-line, as defined by section 144 of the National Water Act, 1988 (Act 36 of 1988) must be indicated on a site development plan (if applicable).
- 7.1.7 The Local Municipality may require some or all of the following additional information for a Site Development Plan;
 - 7.1.7.1 existing bio-physical characteristics of the property,
 - 7.1.7.2 sketch plans and elevations of proposed structures, including information about their external appearance;
 - 7.1.7.3 cross-sections of the site and buildings on site;
 - 7.1.7.4 the alignment and general specification of vehicle access, roads, parking areas, loading areas, pedestrian flow and footpaths;

- 7.1.7.5 the position and extent of private, public and communal space;
- 7.1.7.6 typical details of fencing or walls around the perimeter of the land and within the property;
- 7.1.7.7 electricity supply and external lighting proposals;
- 7.1.7.8 provisions for the supply of water, management of storm water, and disposal of sewage and refuse;
- 7.1.7.9 general landscaping proposals, including vegetation to be preserved, removed or to be planted, external paving, and measures for stabilising outdoor areas where applicable;
- 7.1.7.10 the phasing of a development;
- 7.1.7.11 the proposed development in relation to existing and finished ground levels, including excavation, cut and fill;
- 7.1.7.12 statistical information about the extent of the proposed development, floor area allocations and parking supply;
- 7.1.7.13 relationship of the proposed development to the quality, safety and amenity of the surrounding public environment;
- 7.1.7.14 relationship of the proposed development to adjacent sites, especially with respect to access, overshadowing and scale;
- 7.1.7.15 illustrations in a three-dimensional form depicting visual impacts of the proposed development on the site and in relation to surrounding buildings; and
- 7.1.7.16 any other details as may reasonably be required by the Municipality.
- 7.1.8 The Municipality may determine the extent of the area covered by a site development plan.
- 7.1.9 An applicant must submit a site development plan to the Municipality if it is required in terms of this Land Use Scheme, before any development on the relevant land may commence.
- 7.1.10 A site development plan may not be rejected if it is consistent with the development parameters of a base zone, overlay zone, or condition of approval.
- 7.1.11 The Municipality may require amendments of detail to the site development plan to address reasonable concerns relating to access, parking, architectural form, urban form, landscaping, environmental management, engineering services or similar concerns.
- 7.1.12 The following provisions apply with regard to site development plans:
 - 7.1.12.1 an approved building plan must be in accordance with an approved site development plan;
 - 7.1.12.2 if the Municipality considers it necessary, a transport or traffic impact statement or assessment may be required in conjunction with a site development plan, the extent of which must be determined by the Municipality depending on the magnitude of the development;
 - 7.1.12.3 if the Municipality considers it necessary, a stormwater impact assessment or storm water management plan or both may be required in conjunction with a site development plan, the extent of which must be determined by the Municipality depending on the magnitude of the development.
- 7.1.13 In considering an application for the approval of a site development plan, the Municipality shall take into account any objections, comments and/or representation timeously lodged in writing by any interested party in respect of such application, and when it has taken a decision on such application, it shall forthwith notify the applicant and any such interested party of such decision in writing.
- 7.1.14 An applicant may at any time before an application has been decided amend the application in writing in accordance with Municipal procedures.

7.2 BUILDING RESTRICTION AREAS

- 7.2.1 No building or structure other than boundary walls, fences or temporary buildings or structures that are required in connection with building operations being executed on the property shall be erected within any building restriction area.
- 7.2.2 Any building line along a proposed new road or widening shall be measured from that boundary of such proposed road or widening which is the common boundary of the road or widening and the remaining part of the property to which the building line applies.
- 7.2.3 Except with the written approval of the Local Municipality, no building shall be erected closer to a boundary.
- 7.2.4 The area between the property boundary and the building line applying to such boundary shall be open space and shall allow unobstructed access to authorised persons at all times: Provided that such area may be landscaped and also be used for the parking of motor vehicles.
- 7.2.5 Building lines imposed in terms of the provisions of this Scheme shall not be construed as replacing building lines laid down by title conditions, the controlling authority or stipulated by other legislation.
- 7.2.6 Where shops, service industries, office uses, and (if permitted) commercial uses, light industry uses and industrial uses erected in any business use zone conform to a building line allowed by the municipality, no goods, merchandise, wares or other obstructions excluding the parking of motor vehicles shall be placed, deposited, kept, stored or displayed, on the area between the street boundary and any such building line.
- 7.2.7 The municipality may permit the erection of a gate house between the building line and the street boundary of an erf between the building line and the road boundary, subject to such conditions as it may deem fit.
- 7.2.8 Except when otherwise indicated on the Map or Schedules, the properties adjacent to provincial or national roads shall be subject to the following conditions:
 - 7.2.8.1 The registered owner of the erf shall erect and maintain a physical barrier to the satisfaction of the Local Municipality, or a fence of such other material as may be approved by the Local Municipality in accordance with the standards prescribed by the Controlling Authority, prior to or during the development of the property along the boundaries of the property adjacent to the National Road or Provincial Road.
 - 7.2.8.2 Except for the physical barrier referred to in 7.2.8.1 above, a swimming pool or any essential storm water drainage structure, no building, structure or other thing which is attached to the land, even though it does not form part of that land, shall be erected nor shall anything be constructed or laid under or below the surface of the erf from the boundary of the property adjacent to the National Road or Provincial Road and no alteration or addition to any existing structure or building situated within such distance of the said boundary be made except with the consent in writing of the Controlling Authority.

7.3 SUBDIVISION OF LAND INCLUSIVE OF TOWNSHIP ESTABLISHMENT

- 7.3.1 The following conditions are applicable and shall be considered when an application for subdivision, including subdivision through township establishment, is evaluated:
 - 7.3.1.1 The development intentions of the Municipality on the application property, as contained in the zone,
 - 7.3.1.2 The suitability of the land for subdivision,
 - 7.3.1.3 The protection of high potential agricultural land,
 - 7.3.1.4 The existing use and possible future use or development of the subject and nearby land,
 - 7.3.1.5 The impact of the proposed development on the future use of land in the locality e.g. shall it result in pressure for further densification of the locality,

- 7.3.1.6 The availability of subdivided land and/or erven in the area and the need for the creation of further erven or subdivisions,
- 7.3.1.7 The effect of the development on the use or development of other land which has a common means of drainage,
- 7.3.1.8 The subdivision pattern having regard to the physical characteristics of the land including existing vegetation,
- 7.3.1.9 The density of the proposed development,
- 7.3.1.10 The area and dimensions of each erf in the township establishment,
- 7.3.1.11 The layout of roads having regard to their function and relationship to existing roads,
- 7.3.1.12 The movement of pedestrians and vehicles throughout the township and the ease of access to all erven,
- 7.3.1.13 The provision and location of public open space and other community facilities,
- 7.3.1.14 The phasing of the subdivision,
- 7.3.1.15 The design and siting of buildings having regard to safety and the risk of spread of fire,
- 7.3.1.16 The provision of off-street parking,
- 7.3.1.17 The provision and location of common property,
- 7.3.1.18 The functions of anybody corporate,
- 7.3.1.19 The availability and provision of municipal services,
- 7.3.1.20 If the land is not serviced, the capacity of the land to treat and retain sewage within the boundaries of each erf or subdivided land parcel

7.4 TEMPORARY USE OF LAND

- 7.4.1 The Municipality must record the relevant information relating to Temporary uses applicable to a land unit in the register.
- 7.4.2 Notwithstanding anything to the contrary contained in this Scheme, it shall be competent for the Municipality, subject to any environmental procedures and/or authorisations, to consent to the temporary use of any land or building within any zone, for any of the following:
 - 7.4.2.1 The erection and use of temporary buildings or the use of existing buildings for purposes of site offices, storerooms, workshops or such other uses as are, in the opinion of the Municipality, necessary during the construction of any permanent building of structure on the land, provided that such consent shall ipso facto lapse upon completion of the permanent building or structure.
 - 7.4.2.2 The ad hoc use of land or buildings for concerts, fares, circuses, bazaars or public gatherings.
- 7.4.3 Approval of a use right as a Temporary use in terms of the Planning By-law must at least be subject to the development parameters applicable to the use right as stipulated in this By-law.

7.5 TRANSFER OF EXISTING LAND USE RIGHTS

- 7.5.1 When a property is subdivided, the existing land use rights on the original property shall be transferred to the newly created properties only to the extent that the total land use rights created on the new properties shall not exceed the original, except in the case of the land use of "Dwelling Unit", where the land use shall be transferred to all newly created properties, subject to the original development restrictions.

7.6 KEEPING OF ANIMALS IN RESIDENTIAL ZONES

- 7.6.1 No animals may be kept in areas demarcated as Formal for commercial purposes on a land unit in residential areas where formal land use management procedures are in effect.

- 7.6.2 Horses and donkeys may be kept for the personal use of the owner or occupier of a property and his dependants provided that;
- 7.6.2.1 no horses or donkeys may be kept on a land unit unless the Municipality is satisfied that special factors exist, including the availability of suitable land in the vicinity for grazing and exercising.
- 7.6.2.2 an application for an annual permit to keep horses or donkeys must be submitted by the applicant and may be approved or refused by Municipality;
- 7.6.2.3 a permit may not be renewed if the applicant has given cause for justifiable and substantial complaint relating to the keeping of horses or donkeys, from neighbours or residents living in the area;
- 7.6.2.4 the applicant must submit to the Municipality, for its prior approval, plans of stables and must construct the stables in accordance with the Municipality's requirements;
- 7.6.2.5 stables must be properly maintained, and manure must be handled, to the Municipality's satisfaction so as not to cause any public nuisance.

7.7 HAZARDOUS SUBSTANCES

- 7.7.1 Any use or ancillary activity that involves the storage or keeping of hazardous substances that may result in an installation being declared a major hazardous installation in terms of occupational health and safety law is not permitted, unless a risk management and prevention plan has been submitted by the owner, and the Municipality has given approval thereto.
- 7.7.2 The Municipality's approval in terms of Subsection 7.7.1 above does not exempt the owner from applying for permission in terms of other relevant legislation.

7.8 MAINTENANCE OF PROPERTY

- 7.8.1 Property must be properly maintained by the owner or occupier and may not:
- 7.8.1.1 be left in a neglected or offensive state, as may be determined by the Municipality;
- 7.8.1.2 contain an unsightly accumulation of papers, cartons, garden refuse, rubble or other waste material, as may be determined by the Municipality; (contain an accumulation of motor wrecks or un-roadworthy vehicles or used motor parts, unless these are part of a primary or consent use in terms of this Land Use Scheme;
- 7.8.1.3 contain outdoor storage of building material, appliances or similar items unless these:
- a) forms part of a primary or consent use in terms of this Land Use Scheme;
 - b) are temporarily being stored for the purpose of construction in accordance with a valid building plan approval; or
 - c) are being stored in conjunction with the holding of a yard or garage sale with a duration of not more than two consecutive days.

7.9 SPLAYING OF CORNERS

- 7.9.1 Except where shown on the map, the corners of all streets and street junctions shall be splayed from the junction of the street boundaries for a distance of 2 metres (calculated to the nearest metre): Provided that this provision shall not be applied to townships established before the adoption of this Scheme.
- 7.9.2 In calculating the area of a corner erf, the portions thereof cut off by the splay, shall be included in the area of the erf.

7.10 LINES OF NO ACCESS

7.10.1 Entrance to and exit from a property from or to a public street or road may be prohibited across any boundary-.
Provided that:

7.10.1.1 the Local Municipality may, on receipt of a written application, relax the access restriction subject to such conditions as it may deem desirable, if as a result of exceptional circumstances, observance of the access restriction would interfere with the development of the property to an unreasonable degree;

7.10.1.2 consent granted in terms of this clause shall not be construed as a relaxation of any restriction on access imposed by any other law, or contained in the title deed of the property or imposed by the controlling authority.

7.11 DEVELOPMENT BELOW FLOOD LINE

7.11.1 No buildings whatsoever may be erected on a property which will probably be flooded by a public stream on average every one-hundred (100) years; provided that the Local Municipality may permit the erection of buildings on such portion if it is convinced that the said portion will no longer be subjected to flooding (also note the provisions of the National Water Act, 1998 (Act 36 of 1998) in this regard.

CHAPTER 8: DEVELOPMENT CONDITIONS

8.1 CONDITIONS APPLICABLE TO ALL PROPERTIES

- 8.1.1 An erf in any township established within the area of this Scheme and any erf or other property rezoned hereafter, shall, in addition to any other conditions, which may be specifically imposed, be subject to the following conditions unless any such erf or property is specifically exempted
- 8.1.2 The following conditions shall be applicable to all erven and/or properties:
- 8.1.2.1 Except with the written consent of the Local Municipality and subject to such conditions as it may impose, neither the owner nor any other person shall: -
- a) have the right, save and except to prepare the erf for building purposes, to excavate any material there from;
 - b) sink any boreholes thereon or abstract any subterranean water there from; or
 - c) make or permit to be made, on the property for any purposes whatsoever, any titles or earthenware pipes or other articles of a like nature. (These conditions shall not apply to Industrial 1 and 2 use zones).
- 8.1.2.2 No person shall be permitted to sink any well and water may only be extracted from boreholes with electrical driven pumping equipment.
- 8.1.2.3 Where, in the opinion of the Local Municipality it is impracticable for storm water to be drained from higher lying erven direct to a public street or stream the owner of the lower lying erf shall be obliged to accept and / or permit the passage over the erf of such storm water:- Provided that the owners of any higher lying erven, the storm water from which is discharged over any lower lying erf, shall negotiate point of discharge and shall be liable to pay a proportionate share of the cost of any pipeline or drain which the owner of such lower lying erf may find necessary to lay or construct for the purpose of conducting the water so discharged over the erf.
- 8.1.2.4 If a property is affected by a 1:50 year flood line no building may be erected below the elevation of such flood line unless the Local Municipality has approved specific proposals relating to the manner of construction, siting of buildings, material used, alteration of flood line by raising the natural elevation of the land, etc.
- 8.1.2.5 The main building, which shall be a completed building and not one which has been partly erected and is to be completed at a later date, shall be erected simultaneously with, before, the outbuildings.
- 8.1.2.6 The loading and off-loading of goods shall only take place within the boundaries of the erf to the satisfaction of the Local Municipality unless loading facilities have been provided by the Local Municipality in the street reserve. (This condition shall not apply in the Residential 1, 2 and 3 use zones if subdivision of the land into separate units has been effected).
- 8.1.2.7 The positioning of buildings, including outbuildings, on the erf and entrances to and exists from the erf, the construction and maintenance of internal roads and landscaping of the erf, where required to a public street system, shall be done in consultation with and to the satisfaction of the Local Municipality.
- 8.1.2.8 A screen wall or walls shall be erected and maintained to the satisfaction of the Local Municipality as and when required by it.
- 8.1.2.9 If the property is fenced, such fence and the maintenance thereof shall be to the satisfaction of the Local Municipality.
- 8.1.2.10 The registered owner is responsible for the maintenance of the whole development of the property. If the Local Municipality is of the opinion that the property, or any portion of the development is not kept in a satisfactory state of maintenance the Local Municipality shall be entitled to undertake such maintenance at the cost of the registered owner.

8.1.2.11 No material or goods of any nature whatsoever shall be dumped or placed within the building restriction along any street and such area shall be used for no other purpose than the laying out of lawns, gardens, parking or access roads: Provided that if it is necessary for a screen wall to be erected on such a boundary this condition may be relaxed by the Local Municipality and subject to such conditions as may be determined by it.

8.1.2.12 A site development plan, drawn to a scale of 1:500, or such other scale as may be approved by the Local Municipality shall be submitted to the Local Municipality, in compliance with Section 7.1 or approval prior to the submission of any building plans in any use zone. No building shall be erected on the property before such site development plan has been approved by the Local Municipality and the whole development on the property shall be in accordance with the approved site development plan: Provided that the plan may, from time to time be amended with the written consent of the Local Municipality: Provided further that amendments or additions to buildings which in the opinion of the Local Municipality will have no influence on the total development of the property, shall be deemed to be in accordance with the approved site development plan. Such site development plan shall show at least the following:

- a) the positioning, height, coverage and the floor area ratio of all buildings and structures;
- b) vehicular entrances and exits to and from the property, internal roads and parking areas;
- c) the proposed sub divisional lines, if the property is to be subdivided;
- d) entrances to buildings and parking areas;
- e) building restriction areas (if any);
- f) parking areas and, where required by the Blouberg Local Municipality, vehicular and pedestrian traffic systems;
- g) the elevational and architectural treatment of all buildings and structures;
- h) the programming of the development of the property if it is not proposed to develop the whole property simultaneously.
- i) the Local Municipality may, after receipt of building plans submitted in terms of its by-laws, require the owner to submit, for its approval, proposals for the provision of suitable and sufficient facilities on the erf for the loading, unloading, fuelling, parking of vehicles or for the storage of refuse containers.
- j) The Local Municipality shall not approve any building plan which does not comply with the proposals in the approved site development plan with particular reference to the elevational and architectural treatment of the proposed building or structure.
- k) Standard servitudes, unless indicated otherwise in this Scheme or the Property Title Deed, which is applicable on all erven:
 - i. The erf is subject to a servitude, 2m wide, in favour of the Local Municipality, for sewerage and other municipal purposes, along the midblock (back) boundary and at least one side boundary, depending on the location of municipal services on the property.
 - ii. Properties in all Business, Industrial and Commercial use zones are not subjected to this provision. In the case of a pan-handle erf, an additional servitude for municipal purposes, 2m wide, across the access portion of the erf is applicable, if and when required by the Local Municipality: Provided that the Local Municipality may dispense with any such servitude.
 - iii. No building or other structure shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 2m thereof.
 - iv. The Local Municipality shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction,

maintenance or removal of such sewerage mains and other works as in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose; subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the Local Municipality.

- l) No informal structures may be erected on any property within the area of the land use scheme, provided that the Local Municipality, in consultation with the community, may consent to the erection of an informal structure on "Residential 1" in certain areas.

8.2 CONDITIONS IN TOWNSHIPS

Business Orientated Conditions

8.2.1 Conditions applicable to businesses in respect of which a license is required

8.2.1.1 The following businesses will require a license:

- a) The sale or supply of meals or perishable foodstuffs;
- b) The carrying on of business by the sale or supply to consumers of meals or perishable foodstuffs;
- c) The carrying on of business by
 - i. providing Turkish baths, saunas or other health baths;
 - ii. providing massage or infra-red treatment;
 - iii. making the services of an escort, whether male or female, available to any other person;
 - iv. keeping three or more mechanical, electronic or electrical contrivances, instruments, apparatus or devices which are designed or used for the purpose of the playing of any game or for the purpose of recreation or amusement, and the operation of which involves the payment of any valuable consideration, either by the insertion of a coin, token coin or disc therein or in an appliance attached thereto or in any other manner;
 - v. Night Clubs
 - vi. Hawkers
 - vii. Pool rooms
 - viii. Cinemas
- d) The carrying on of business, whether as principal, employee or agent, by selling any foodstuff in the form of meals or any perishable foodstuff –
 - i. which is conveyed from place to place, whether by vehicle or otherwise;
 - ii. on a public road or at any other place accessible to the public; or
 - iii. in, or from a movable structure or stationary vehicle, unless the business is covered by a license for a business
- e) A business which is carried on by the State or Local Municipality.
- f) A business which is carried on by a charitable, religious, educational, cultural or agricultural association, organisation or institution of a public nature, if all profits derived from the business are devoted entirely to the purpose of that or any other such association, organisation or institution.

8.2.2 Conditions applicable to a Filling Station

8.2.2.1 Site Access Requirements

8.2.2.1.1 The vehicular access and exit ways to and from the premises of a service station or filling station shall not be more than 10m wide where it crosses the street boundary.

8.2.2.1.2 A wall, fence or landscaping must be erected or provided on the road boundary of the property concerned between such points of access and exit, to the satisfaction of Council in respect of its height and aesthetic appearance.

8.2.2.1.3 The vehicular access and exit ways to and from the premises of a filling station shall, where they cross the boundary, shall be to the satisfaction of the local municipality.

8.2.2.2 Site Storage Requirements

8.2.2.2.1 Any part of the premises of a filling station which is used for the storage of empty containers (such as oil drums and packing cases) or any other scrap whatsoever shall be enclosed with a suitable brick or concrete screen wall at least 3m high.

8.2.2.3 Site Development Plan

8.2.2.3.1 All applications for a service station and filling station shall be accompanied by a site development plan.

8.2.2.3.2 Site Development Plan must indicate the following:

- a) Vehicular access.
- b) Risk management in respect of fuel pumps and fuel storage areas.
- c) Screening of any storage area.
- d) Minimising any visual intrusion or operational disturbance with adjoining properties.
- e) The extent of the various activities.

8.2.2.3.3 Council can also require an EIA if necessary to determine the risk involved to the surrounding environment and to determine contingency plans in place.

8.2.2.3.4 No major repairs or services of motor vehicles, panel beating and spray painting will be allowed on the site.

8.2.3 Conditions applicable to shops

8.2.3.1 Where shops, service industries, office uses, and (if permitted) commercial uses, light industrial uses and industrial uses erected in any business use zone conform to a building line adopted by the Municipality, no goods, merchandise, wares or other obstructions excluding the parking of motor vehicles shall be placed, deposited, kept, stored or displayed, on the area between the street boundary and any such building line.

8.2.3.2 Dry cleaners and launderettes may be established in Business zones 1 and 2 provided that they comply with the following provisions.

- a) The floor area of the shop for receiving and returning clothes, the workshop and the space used for the clothes-rack together will not exceed 275 m².
- b) Only gas, electricity, illuminating paraffin, or other approved liquid fuel may be used for the production of steam or hot water.
- c) The solution used in the cleaning process must be non-flammable.
- d) The combined capacity of the dry-cleaning machines that may be installed may not exceed 20 kg dry weight of clothing or other articles per cleaning operation per half hour cycle.
- e) The combined capacity of the washing machines that may be installed may not exceed 27 kg dry weight of clothing or other articles per washing operation.
- f) If the council is of the opinion that the site of a proposed dry cleaner or launderette is unsuitable on the ground of possible nuisance, danger to public health, etc., it will submit the application,
- g) together with its view, recommendations and the reasons therefore, to the MEC whose decision will be final.

8.2.4 Conditions applicable to Taverns

8.2.4.1 In the case of any permission or consent granted by the municipality to utilize properties for purposes of a tavern, it is subject to the following conditions in addition to the conditions set out in the definition and the base use zone:

- a) A non-transparent screen wall at least 1,8 meters high, must be erected around the entire perimeter of the site and shall comply to National Building Regulations SABS 0040, 1990 as revised;
- b) The public and residential areas on the site must be separated effectively;
- c) If food is served it may be prepared in the residential kitchen and served through a lockable service hatch and shall comply with National Health Regulations and any other applicable legislation
- d) Separate toilets and ablution facilities for males and females must be provided in the tavern
- e) A suitable storeroom must be provided for all liquor and container stock not required for immediate sale;
- f) A properly constructed drinking area must be provided;
- g) If liquor is served in the garden, then dividing walls must be erected to ensure the effective separation of the public and residential areas;
- h) Name boards shall be non-illuminated and not be bigger than 2000 mm (horizontal) x 1500 mm (vertical);
- i) Sufficient parking, as determined by the Local Municipality, shall be provided on site;
- j) the Tobacco Products Control Act, 83 of 1993 ("TPCA") in its entirety will remain in full operation until repealed by the Control of Tobacco and Electronic Delivery Systems Bill whereafter the conditions must adhere to the Bill.
- k) It shall exclude any noxious practices or uses which will interfere with the amenity of the surrounding properties or be of nuisance value by virtue of noise, appearance, smell or activities or for any other reason whatsoever;
- l) The Limpopo Liquor Board determines the hours and days of business.

8.2.5 Conditions for Home Occupation

8.2.5.1 The following conditions apply if a portion of a dwelling house is used for purposes of a home occupation:

- a) The dwelling house, flat or residential building or any portion thereof may not be used for purposes of an industry or noxious trade.
- b) The only advertising signs permitted are non-illuminated signs or notices not projecting over a street, not exceeding 650mm (horizontal) X 450mm (vertical) and indicating only the name and profession or occupation of the occupant.
- c) Goods for sale may not be displayed on the land in such a manner that it is visible from a public street.
- d) No activity which is or may be a source of disturbance or nuisance to occupants of other dwelling houses (e.g. noise pollution, traffic congestion, air pollution, the congregation of people, excessive traffic generation, etc.) are permitted.
- e) The primary use of the property is still for residential purposes and should be occupied by the person practicing the home occupation.
- f) Medical practitioners are exempt from the requirement that they have to occupy the dwelling house in which a home occupation is conducted.
- g) A maximum of 3 people may be employed at a time.
- h) The floor area used for a home occupation may not exceed 40m² of the dwelling unit. If a larger floor area is required, the application must be made for approval to carry on a home occupation.

8.2.5.2 The following activities will not be permitted in a dwelling unit:

- a) A funeral undertaking and/or funeral parlour and/or crematorium and/or any related activity;
- b) A visitor's information bureau;
- c) A building society agency;
- d) Kennels;
- e) An escort agency;
- f) A place of amusement;
- g) A tow-in service;
- h) A motor workshop;
- i) A medical rescue (paramedic) service;
- j) A slimming clinic;
- k) A car wash;
- l) A cash loan business;
- m) A panel-beater;
- n) A parcel delivery service;
- o) A gymnasium, except a gymnasium for private use by household occupying the dwelling unit;
- p) A shooting range;
- q) A blasting contractor;
- r) A butcher;
- s) A spray-painter;
- t) A taxi business;
- u) A pet salon;
- v) A fish-fryer;
- w) A vehicle sales lot for the hiring and selling of vehicles and/or trailers;
- x) Manufacturing and or storage of concrete products;
- y) A packaging contractor;
- z) A transport undertaking;
- aa) A plumber business;
- bb) A building contractor business;
- cc) A builder's yard and/or storage of building equipment;
- dd) Firefighting business;
- ee) Security company and vehicle tracing agents.

8.2.6 Conditions applicable to Bed and Breakfast

- 8.2.6.1 The maximum floor area will be restricted to the current existing dwelling unit(s) on the erf: Provided that any addition, extension, alteration or modification to an existing building shall only be permitted in accordance with an approved site plan and with consideration to the character and architecture of the existing building(s);
- 8.2.6.2 The Bed & Breakfast shall be managed and used as a permanent residence by the owner;
- 8.2.6.3 Name boards should not be bigger than 650mm (horizontal) X 450mm (vertical); and should not restrict pedestrian movement or visibility whatsoever along the street reserves and should be non-illuminated and provided on the stand.

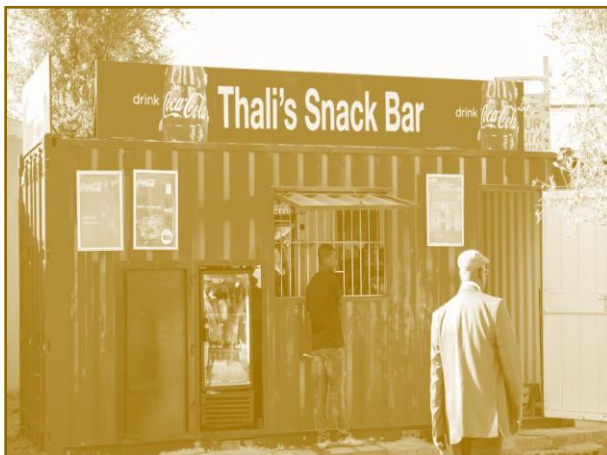
- 8.2.6.4 Any refreshment room on the premises may only be used by the occupants or overnight guests, with the understanding that conference, entertainment and restaurant facilities are not approved and that no activity will be permitted which is likely to create a public nuisance;
- 8.2.6.5 A site development plan shall be submitted to the Local Municipality for approval, prior to any operational activity ancillary to a guesthouse;
- 8.2.6.6 Demarcated, paved parking spaces and ancillary vehicle manoeuvre area, shall be provided to the satisfaction of the Local Municipality. Provided that at least 1 parking space shall be provided per bedroom;
- 8.2.6.7 All surfaces on the erf that will accommodate vehicle movement shall be paved, drained and maintained to the satisfaction of the Local Municipality;
- 8.2.6.8 Ingress to and egress from the erf will be placed, constructed and maintained by the owner, subject to the prior approval of such ingress or egress by the Local Municipality's Chief of Civil Services and Chief of Traffic and Licenses;
- 8.2.6.9 Loading and off-loading shall only be permitted on the erf;
- 8.2.6.10 A maximum of 4 rooms for a maximum of 8 occupants shall be permitted, although application may be made to the Local Municipality for a relaxation thereof;
- 8.2.6.11 The municipal health department's approval must be obtained before operation can commence;
- 8.2.6.12 Council can instruct the owner/ operator to mitigate the impact of the activity and impose such conditions it deems appropriate. Should such conditions not be complied with, Council may instruct the owner / operator to cease the activity forthwith.

8.2.7 Conditions applicable to Guest Houses

- 8.2.7.1 This use may be conducted from a converted dwelling house or a purpose built facility that may consist of a single structure for guest house purposes or free standing or linked units for lodge purposes and includes facilities that are normally associated therewith (e.g. conference facilities and lecture rooms).
- 8.2.7.2 A site development plan, indicating the layout and number of rooms and units, entertainment areas, communal areas, parking, landscaping, signage and streetscape, must accompany applications to Municipality.
- 8.2.7.3 The land use may not create a public nuisance or, in the Municipality's opinion, detract from the residential character or amenity of the neighbourhood.
- 8.2.7.4 The minimum size of a land used for a guest house / guest lodge is 740m².
- 8.2.7.5 Parking must be provided in any event not less than at a ratio of 1 parking bay per guest bedroom and that no vehicles be permitted to park in public areas.
- 8.2.7.6 Not more than 32 people or 16 rooms are permitted per land, whichever is the most restrictive; provided that the Municipality may restrict such numbers if considered necessary in the interest of the area or neighbourhood.
- 8.2.7.7 The municipality must assess the potential impact of the proposed land use on the character of the surrounding area, before granting its special consent.
- 8.2.7.8 The owner / manager can live either off-site or in a separate area on-site.
- 8.2.7.9 A guest lodge may include self-catering units.
- 8.2.7.10 Ancillary activities include a restaurant (not for the general public) and conference facilities for use by transient guests only.

8.2.8 Conditions applicable for the approval of Spaza/Tuck Shops

- 8.2.8.1 A spaza / tuck shop must be operated from a building or associated immovable structure, approved, in terms of the National Building Regulations Act. Any person who wishes to establish a temporary structure for the use of a tuck shop must have written permission from the Municipality approving the type of structure to be used, the placement of the structure, and the duration for which the structure is allowed.
- 8.2.8.2 The applicant shall obtain written comments from the surrounding neighbours. The Municipality will determine the affected neighbours.
- 8.2.8.3 The amenity of the neighbourhood must not unduly be interfered with by the proposed use.
- 8.2.8.4 In accordance with the stipulations of Section 24 of the Constitution of the RSA (Act 200 of 1993), the permission shall be withdrawn without payment of any compensation whatsoever, where the general amenity of the neighbourhood is harmed in the opinion of the Local Municipality or a nuisance is created.
- 8.2.8.5 The size of a spaza / tuck shop shall not exceed prescribed extent as determined by the Local Municipality.
- 8.2.8.6 Tuck shops that sell perishable goods and flammable substances must comply with health and fire regulations and bylaws. The availability of suitable and adequate storage facilities is of utmost importance in this regard.
- 8.2.8.7 All vehicular and pedestrian access shall be to the satisfaction of the Local Municipality.
- 8.2.8.8 No stock delivery by heavy delivery trucks will be allowed and the owner must collect stock from the depots themselves.
- 8.2.8.9 The applicant must indicate how parking would be provided in a manner that does not disturb traffic flow and/or cause inconvenience to the neighbours.
- 8.2.8.10 No food shall be prepared and sold on the erf unless such is approved by the Health Services Department.
- 8.2.8.11 The Local Municipality may impose any other condition/s that is deemed necessary to protect the amenities of the area or neighbourhood.
- 8.2.8.12 No alcohol drinks/beverages shall be sold from spaza / tuck shops.
- 8.2.8.13 A notice or sign displayed on the property to indicate and advertise the business being conducted from the dwelling shall be to the satisfaction of the Local Municipality in terms of size, position and design.
- 8.2.8.14 A trading license must be obtained from the relevant Department where applicable.
- 8.2.8.15 All health by-laws shall be adhered to and complied with.
- 8.2.8.16 A spaza / tuck shop shall be used for the sale of convenience goods to the local community.
- 8.2.8.17 No tobacco products shall be sold to persons under the age of 18.
- 8.2.8.18 Adequate facilities for the disposal of waste must be provided and provision shall be made for the recycling of cans and bottles.



Industrial Orientated Conditions

8.2.9 Conditions applicable to a Builder's Yard

- 8.2.9.1 No building or erf may be used for the establishment of a builder's yard, coal yard, timber yard and carrier business in any other zone excluding the Industrial zones, except for a temporary builders yard for the main purpose of construction.
- 8.2.9.2 The erf shall be fenced along all boundaries to the satisfaction and prescribed height of the Council.

8.2.10 Conditions applicable to noxious industries

- 8.2.10.1 Any noxious industry must adhere to Chapter 3
- 8.2.10.2 The following uses will be regarded as a noxious industry;
- a) asbestos-processing;
 - b) the burning of building bricks;
 - c) chromium-plating;
 - d) cement production;
 - e) carbonisation of coal in coke ovens;
 - f) charcoal-burning;
 - g) converting, reheating, annealing, hardening or carburizing, forging or casting of iron or other metals;
 - h) crushing or screening of stone or slag or plants for the preparation of road-surfacing material;
 - i) distilling, refining or blending of oils;
 - j) galvanising;
 - k) lime- and dolomite-burning;
 - l) lead-smelting;
 - m) pickling and treatment of metal in acid;
 - n) recovery of metal from scrap;
 - o) smelting, calcining, sintering or other reduction of ores or minerals;
 - p) salt glazing; and
 - q) sintering of sulphur-bearing materials and viscose works.
 - r) The use of buildings or land for the production of or the employment in any process of:
 - carbon bisulphide, cellulose lacquers, hot pitch bitumen, pyridine, or pulverised fuel (except when used for a spray-painting trade);
 - cyanogen or its compounds
 - liquid or gaseous sulphur dioxide; and
 - sulphur chlorides or calcium carbide.
 - s) The use of buildings or land for the production of:
 - amyl acetate, aromatic esters, butyric acid, caramel, enamelled wire, hexamine, iodoform, Bnaphthol, salicylic acid, lamp-black, sulphurated organic compounds, sulphur dyes, glass and resin products (except synthetic resins, plastic-moulding or extrusion compositions and plastic sheets, rods, tubes, filaments or optical components produced by casting, calendering, moulding, shaping or extrusion);
 - paint or varnish manufacture (excluding mixing, milling and grinding);
 - rubber from scrap; and

- ultra marine, zinc chloride and oxide.
- t) For the purpose of:
- an abattoir, animal bristle sterilizing and storing, and animal charcoal manufacture;
 - a bacon factory, a brewery or distillery, blood-albumen making, blood-boiling, bone-boiling, -steaming, -burning, -storing or -grinding, breeding of maggots from putrescible matter;
 - candle-making, catgut manufacture, boiling of chitterlings of pigs or other animals which are not subsidiary to a retail business or trade;
 - dealing in rags or bones (including receiving, storing or manipulating of rags in, or likely to become in, an offensive condition, or any bones, rabbit skins, fat or putrescible animal products of a like nature);
 - fellmongery, fat-melting or -extracting, fish-curing (other than a subsidiary to the business or trade as a fishmonger), fish-skin dressing or scraping, fish-canning;
 - glue-making, gut-cleaning or -scraping;
 - a knacker's yard;
 - leather-dressing;
 - the making of meal for feeding poultry, dogs, cattle or other animals from any fish, blood, bone, fat or animal offal, either in an offensive condition or subjected to any process causing noxious or injurious effluvia, manufacturing or storing of manure from bones, fish, fish offal, blood, spent hops, beans or other putrescible animal or vegetable matter, manufacturing of malt;
 - parchment-making, a paper mill;
 - size-making, skin-drying, -storing and -curing, soap-boiling, a slaughter-house, a sugar-mill or -refinery;
 - tallow-melting or -refining, tanning, tripe-boiling or -cleaning;
 - wool-scouring, wattle-bark grinding or extracting;
 - yeast-making; and
 - taxi demist

Residential Orientated Conditions

8.2.11 Conditions applicable to the establishment of Backyard Dwelling

- 8.2.11.1 These conditions are only intended as a temporary solution to managing “backyard dwellings” and should favourably be replaced by a researched policy derived by the municipality based on the specific type of backyard dwellings applicable within the jurisdiction of the municipality.
- 8.2.11.2 An applicant who wishes to develop a backyard unit/s on any zoned property, other than Residential 2 or Residential 3, should do so by applying at the Local Municipality.
- 8.2.11.3 In the case of any permission or consent granted by the municipality to utilize properties for purposes of a backyard unit/s, it is subject to the following conditions in addition to the conditions set out in the definition and the base use zone:
- a) Number of units:
 - i. Shall not exceed 2 backyard dwellings per property. Backyard dwellings erected in terms of these conditions shall not be sold by means of sectional title.
 - b) Size of units:
 - i. No backyard dwelling unit shall be less than the minimum gross floor area of 30 m². The minimum floor area per person for a bedroom is 6 m² (six square meters).
 - c) Coverage:

- i. The coverage of the first dwelling unit and all backyard dwelling units combined shall not exceed the maximum coverage allowed in terms of Chapter 3
- d) Height:
 - i. No backyard dwelling units shall be higher than 2 storeys or be built on a level higher than the second storey of the first dwelling unit.
- e) Side spaces:
 - i. No backyard dwelling unit that is more than one storey in height shall be erected closer than 2 meters from any side boundary of the property, or in contravention of this Land Use Scheme.
- f) Services connections:
 - i. All backyard dwelling/s shall have access to sewer, water and electrical connections up to minimum standards and as deemed adequate by the municipality. Electricity supply for backyard dwelling unit/s must be taken from the main dwelling as only one sewerage, water and electricity connection shall be provided per erf. The applicant is to apply for an electrical connection upgrade if the existing supply is inadequate for both dwellings.
- g) Additional Conditions:
 - i. All backyard dwellings shall be constructed from conventional building materials (brick) or as otherwise approved by the municipality.
 - ii. The renting of such properties shall be allowed according to conditions set out in a formal (written) or informal(verbal) agreement. The renting of such backyard dwellings should comply with the Rental Housing Act, 1999, (Act No. 50 of 1999)
 - iii. Shall take cognisance of health and safety with the constructions of such backyard dwelling/s as deemed adequate by the municipality.

8.2.12 Conditions applicable to the establishment of Second Dwelling Units

- 8.2.12.1 An application for the erection of a second dwelling unit, usually relates to the owner of land, who applies for the permission to erect a second dwelling on properties zoned Residential 1 or may be an agricultural holding or farm portion.
- 8.2.12.2 An applicant wishing to apply for permission to erect a second dwelling unit shall do so by submitting a building plan in accordance with the requirements of the National Buildings Regulations and Building Standards Act, 1977 to the municipality and shall pay the normally prescribed application fee required for the submission of such building plan.
- 8.2.12.3 Upon approval of such building plan to erect a second dwelling unit, the property concerned shall forfeit the rebate on assessment rates, typically applicable to appropriately zoned erven, used solely for residential purposes. The rebate on assessment rates shall only be re-instated upon request by the owner, and after the confirmation that no second dwelling unit has been erected.
- 8.2.12.4 In the case of any permission or consent granted by the municipality, the erection of second dwelling units shall be subject to the following conditions in addition to the conditions set out in the definition and the base use zone:
 - a) Number of units:
 - i. One additional dwelling unit shall be allowed per erf (or subdivided erf), with a minimum erf area of 500 m². Erven with an area of 500 m² and smaller on which a second dwelling unit has been erected, will not be allowed to be subdivided and all other development controls must be adhered to.
 - b) Size of units:
 - i. No second dwelling unit shall exceed the gross floor area of more than 100 m², excluding other outbuildings or garages.

- c) Coverage:
 - i. The coverage of the first and second dwelling unit combined shall not exceed the maximum coverage allowed in terms of Chapter 3.
- d) Floor Area Ratio:
 - i. The Floor Area Ratio of the first and second dwelling combined shall not exceed the maximum FAR allowed in terms of this document.
- e) Height:
 - i. No second dwelling units shall be higher than 2 storeys or be built on a level higher than the second storey of the first dwelling unit.
- f) Side spaces:
 - i. No second dwelling unit that is more than one storey in height shall be erected closer than 2 meters from any side boundary of the property, or in contravention of this Land Use Scheme.
- g) Building restriction line:

As per Section 6.6
- h) Parking:
 - i. An additional two parking spaces shall be provided on the erf for the use of the occupants of the second dwelling unit, provided that the second dwelling unit has only one bedroom, only one parking space will be required.
- i) Services connections:
 - i. Electricity supply for the second dwelling unit must be taken from the main dwelling as only one sewerage, water and electricity connection shall be provided per erf (or subdivided erf, agricultural holding or farm portion). The applicant is to apply for an electrical connection upgrade if the existing supply is inadequate for both dwellings.

Institutional Orientated Conditions

8.2.13 Conditions applicable to Cemeteries

- 8.2.13.1 No land shall be used for the purposes of refuse tipping, sewage disposal, scrap yard, stock yard, ash dump, motor graveyard without the special consent of the Local Municipality.
- 8.2.13.2 All relevant legislation relating to the establishment of cemeteries will be adhered to as contemplated in Environmental Conservation Act.
- 8.2.13.3 A geotechnical and geo-hydrological investigation should be carried out.
- 8.2.13.4 Land or portion of land selected for a cemetery should be certified by a geo-hydrologist that the water table is at least 2,5m below ground level.
- 8.2.13.5 The design of the cemetery and grave or burial plot sizes should be to the satisfaction of the municipality.
- 8.2.13.6 The cemetery should have adequate parking and accessibility.
- 8.2.13.7 No land may be used for burial purposes within the 1:100 year floodline or within the conditions as stipulated in Section 5.6.

8.2.14 Conditions applicable to Day Care Facilities

- 8.2.14.1 The use of land may not create a public nuisance, and it must at all times be maintained in a clean condition.
- 8.2.14.2 Buildings must be furnished in a manner, which adequately reduces noise emanating from the activities within the buildings.
- 8.2.14.3 A site development plan must be submitted to Municipality for approval in respect of any proposed new buildings or extensions and / or alterations to existing buildings.
- 8.2.14.4 Appropriate and adequate sanitary facilities must be provided on the premises to the Municipality's satisfaction
- 8.2.14.5 Playing areas are to be provided in accordance with the following guidelines:
- a) Outdoors - 2m² per child
 - b) Indoors - 2m² per child
- 8.2.14.6 The maximum number of children cared for on a land is 35.
- 8.2.14.7 The Municipality's consent is required to care for more than 15 children.
- 8.2.14.8 The minimum number of children for a written consent use of day-care is 5.
- 8.2.14.9 The dominant use of the building must remain for residential purposes for a single family.
- 8.2.14.10 Properties utilised for day care facilities must comply with the minimum physical standards as contained in the Children's Amendment Act, 2007, (Act No. 41 of 2007).

Environmental Protection Orientated Conditions

8.2.15 Conditions applicable to High Biodiversity Areas

- 8.2.15.1 Development within high and medium to high hyper diversity areas, important habitat types identified and areas with a vast number of species with a high conservation status as indicated on the Spatial Development Framework of the Municipality shall be subject to the following:
- a) a full ecological investigation in which functional and compositional aspects are dealt with;
 - b) an alien and invasive vegetation investigation as stated in the National Environmental Management: Biodiversity Act, 2004 (Section 71(41)) and in any amendments thereof and should include:
 - i. detailed list and descriptions of alien and invasive species;
 - ii. description of infested sites;
 - iii. assessment of extent of infestation;
 - iv. status report on efficiency of previous control methods and future eradication measures.
- 8.2.15.2 The information referred to in Clauses 8.2.15.1 (a)(b) shall be submitted to the Department of Economic Development, Environment and Tourism Limpopo or its successor in title for evaluation and commenting purposes.
- 8.2.15.3 Spatial Development Framework (SDF) of the Municipality may indicate land uses deemed appropriate in the various biodiversity category areas.

8.2.16 Conditions applicable to Protected/Conservation Areas

- 8.2.16.1 The following additional conditions will apply to properties used for "Protected/Conservation Areas":
- a) All listed activities in terms of the National Environmental Management Act, 107 of 1998 and any amendments thereof must be subject to a full Environmental Impact Assessment (EIA) and an Environmental Management Plan;

- b) The use of land shall be restricted to environmental related activities;
- c) No mining or prospecting activities are allowed;
- d) Spatial Development Framework (SDF) of the Municipality may indicate the land uses deemed appropriate in the areas designated as Protected Areas.

8.2.17 Conditions applicable to the establishment of Tourism Areas

- 8.2.17.1 The applicant must demonstrate the need and desirability for such a use;
- 8.2.17.2 A range of well-designed and located tourist facilities including integrated resorts, hotel accommodation and smaller scale operations such as host farms, bed and breakfast establishments and other tourism-oriented facilities will be encouraged,
- 8.2.17.3 Retail and other tourist orientated uses such as conference facilities may be allowed if such use will result in increased convenience and amenity to the tourist and is ancillary to and subservient to the main use,
- 8.2.17.4 Tourism establishments and facilities should be accessible via suitable transport and road infrastructure, inclusive of public transport,
- 8.2.17.5 Tourism establishments and facilities should be provided with adequate services of high quality that are appropriate to the development,
- 8.2.17.6 Tourism establishments and facilities should build upon the assets and qualities of surrounding urban and rural activities and cultural and natural attractions, and
- 8.2.17.7 The land parcel should possess significant and sufficient primary and/or secondary aesthetical and recreational value.

Transport and Utility Orientated Conditions

8.2.18 Conditions applicable to the establishment of Truck Stops

- 8.2.18.1 An application for the establishment of a truck-stop must include the following supportive documents and reports:
 - i. Approval from the relevant roads authorities for access to the truck stop along national or provincial roads;
 - ii. A feasibility study to illustrate the economic viability of a truck-stop on the application property, with special reference to the fuelling component or filling station, as well as the impact of such a facility on other similar uses, filling stations or service stations in close proximity to the application property.
 - iii. Official support from an oil company for the fuelling component or filling station, as part of the truck-stop on the application property
 - iv. A Record of Decision (ROD) in terms of the provisions of the Environmental Conservation Act, 1989 or any amendment or replacement of the act, authorizing the establishment of a truck-stop on the application property.
 - v. The workshop or vehicle servicing areas must be screened off to the satisfaction of the Municipality.
 - vi. Parking and fuelling facilities for heavy-duty vehicles, long haul vehicles, trucks and busses shall be separated from parking and fuelling facilities for light motor vehicles.

8.2.19 Conditions for the establishment of Telecommunications Infrastructure

- 8.2.19.1 In considering locational criteria for telecommunications infrastructure, the Municipality will consider the following conditions;
 - i. Residential Zones

The locational criteria for telecommunication infrastructure may not be favoured by the municipality without considering the impacts on the surrounding area as well as inputs from affected neighbours.

ii. Environmental Sensitive Areas

The Municipality will consider that the locational criteria for telecommunication infrastructure will not be favoured in an environmentally sensitive area with rivers, streams, wetlands and pans, 1:100 year floodline of a water body, bird sanctuary or adjoining, an area identified as an area of conservation significance or environmental importance as regarded by the authorities.

8.2.19.2 The Municipality will consider that the locational criteria for telecommunication infrastructure will not be favoured in;

- i. a culturally significant heritage area
- ii. localities where the use is likely to have a significant visual impact
- iii. localities where it may affect air traffic or vehicular movement
- iv. close proximity to architectural landmarks, such as monuments or historical buildings
- v. close proximity to town squares, formal open spaces or cityscapes
- vi. along scenic routes

8.2.19.3 The Municipality encourages the establishment of masts and antennas in the following manner:

- i. The co-location of masts, antennas and other infrastructure, not only at the same site but also on the same structure, such as combining satellite dishes, radio antennas and cell masts on one structure, supported by a certificate on the expected emissions from the site, prepared by a suitably qualified individual,
- ii. The incorporation of noise reduction measures, especially if generators will be employed,
- iii. Making use of “stealth masts”, thereby camouflaging the mast as a tree or other natural feature,
- iv. Erecting masts on- or in close proximity to other unsightly structures such as power lines, building rooftops, water towers, highway lampposts, overpasses, bridges and smokestacks,
- v. All structures will be fenced or walled with a locked gate to limit public access and access to the support structure,
- vi. Erecting masts in close proximity to natural features such as trees in order to shield the visual impact, and
- vii. If lighting will be installed for security or other reasons, lights must be screened in such a way as to prevent light pollution.

8.2.19.4 The following visual guidelines will aid the Municipality when considering applications for the establishment of telecommunication infrastructure;

- i. Scenic Integrity: the preservation of landscape features, particularly skylines, scenic corridors, important view sites and historic precincts.
- ii. Site Responsiveness: the siting of structures in accordance with visual absorption capacity and screening capabilities of the land
- iii. Compatibility: the provision of installations that are in harmony with the surrounding buildings and uses.
- iv. Appropriateness: the design and detailing of installations in terms of a sympathetic architectural theme.
- v. Sense of Place: a response in the siting and design installations to the particular natural, rural, urban or historic qualities of the place.
- vi. Local Character: the use of indigenous plants, local materials and design idiom that are an expression of the locality or region.
- vii. Use existing masts or buildings to carry antennae where possible, to avoid the need for separate masts.

Other Orientated Conditions

8.2.20 Conditions applicable to the keeping of animals

- 8.2.20.1 No animals may be kept for business purposes on a residential land.
- 8.2.20.2 Horses and donkeys may be kept only for the personal use of the owner or occupier of a land and his dependants; provided that:
- no horses or donkeys may be kept on a land which is less than 8 000 m² in extent, unless Council is satisfied that special factors exist (e.g. the availability of suitable land in the vicinity for grazing and exercising);
 - such owner or occupier annually applies and obtains a permit from Council to keep horses or donkeys; provided that such permit shall not be renewed if the applicant has given cause for justifiable and substantial complaint relating to the keeping of horses or donkeys, from neighbours or residents living in the area;
 - the applicant must submit plans of stables, obtains municipal building plan approval and must construct the stables to the Council's satisfaction;
 - stables are properly maintained and manure is dealt with to the Council's satisfaction, so as not to create any public nuisance;
 - Poultry, rabbits and other small animals may be raised for domestic, non-commercial use in residential areas, subject to any Council by-law relating to the keeping of poultry and animals.
 - No person shall keep or be permitted to keep on any land unit, cattle, sheep, goats, pigs, indigenous mammals or other wild animals (except on farm portions and agricultural holdings without creating nuisance to adjacent owners), without the prior written permission of Council, irrespective whether such animals are kept for commercial or domestic purposes.

8.2.21 Conditions applicable to the establishment of a Temporary Structure

- 8.2.21.1 Any person who wishes to establish a temporary structure must have written permission from the Municipality approving the type of structure to be used, the placement of the structure, and the duration for which the structure is allowed.
- 8.2.21.2 Structures included are caravans, containers, marquees, wendy houses and trailers.
- 8.2.21.3 Temporary structures will only be allowed where infrastructure is adequate.
- 8.2.21.4 Aesthetical considerations will be regarded when an application is considered. All temporary structures shall be painted and maintained to the satisfaction of the Municipality,
- 8.2.21.5 In the case of Municipal owned property, the consent of the service provider must be submitted before an application for a kiosk will be considered and the first person to provide the consent will be granted the lease. However, the Municipality may grant different leases on the same property to different service providers,
- 8.2.21.6 A maximum of two temporary structures will be allowed per applicant, except for a builders yard,
- 8.2.21.7 The Municipality will be under no obligation to provide any engineering service to the temporary structures
- 8.2.21.8 Temporary structures should not obstruct or block:
- building entrances and exits
 - pedestrians in sidewalks
 - vehicular traffic
 - pedestrian crossings
 - access to street furniture
 - parking / loading bays

- vii. facilities for vehicular and pedestrian traffic
- viii. road traffic signs
- ix. a fire hydrant
- x. displayed goods in shops from view

8.2.21.9 The structures should not be on a verge next a formal business that sells the same goods without consent of that business owner.

8.2.21.10 Temporary structures shall not be placed for purposes of trading in a public garden or park.

8.2.21.11 The following locational conditions shall apply;

- i. Builders Yard
4 Containers will be allowed per builders yard, with written permission from the municipality. The containers will be allowed for office and storage use.
- ii. Taxi Ranks
structure trading is permitted in designated areas inside or next to taxi ranks. The approval of trading sites should be done in consultation with Blouberg Municipality. Taxi ranks in the CBD areas should be treated as restricted areas that require Municipal exemption.
- iii. Rural Areas
Temporary structures will be permitted per municipal discretion on certain sites.
- iv. Residential Areas
The Land Use Scheme approves the placement of temporary structures on residential property as a Discretionary Use.

CHAPTER 9: COMPLIANCE AND ENFORCEMENT

9.1 ENFORCEMENT

- 9.1.1 No person may erect any building or structure or any part thereof –
- a) except for a purpose permitted by this land use scheme and only in accordance with the applicable development parameters; or
 - b) without first obtaining approval from the Municipality in terms of the land use scheme.
- 9.1.2 The Municipality must adopt fines and contravention penalties to be imposed in the enforcement of this land use scheme as determined by the section of the by-law that deals with enforcement.

9.2 COMPLAINTS ON SUSPECTED UNLAWFUL ACTIVITIES

- 9.2.1 Any member of the public may lodge a complaint to the municipality regarding a suspected unlawful activity or contravention of this land use scheme.
- 9.2.2 All complaints should be in writing in a manner prescribed by the municipality.
- 9.2.3 The municipality may not accept or investigate a verbal or telephonic complaint from any person or anonymous person unless it is convinced by valid reason to do so.
- 9.2.4 The municipality shall acknowledge receipt of a complaint within 30 days and noncompliance or action to be taken on the reported case.

9.3 SERVING OF NOTICES

- 9.3.1 Any order, notice or other document required or authorised to be served under the land use scheme, may be signed by the Municipal Manager or other official authorised thereto, as determined by the section of the by-law that deals with the serving of the notices.
- 9.3.2 A compliance notice must direct the occupier and owner to cease the unlawful land use or construction activity or both, forthwith or within the time period determined by the Municipality and may include an instruction to -
- a) demolish unauthorised building work and rehabilitate the land or restore the building, as the case may be, to its original form within 30 days or such other time period determined by the Municipal Manager; or
 - b) submit an application in terms of this By-law within 30 days of the service of the compliance notice and pay the contravention penalty.

9.4 POWER OF ENTRY FOR ENFORCEMENT PURPOSES

- 9.4.1 An authorised employee may, with the permission of the occupier or owner of land, at any reasonable time, and without a warrant, and without previous notice, enter upon land or enter a building or premises for the purpose of ensuring compliance with this land use scheme.
- 9.4.2 An authorised employee must be in possession of proof that he or she has been designated as an authorised employee for the purposes of this land use scheme.
- 9.4.3 An authorised employee may be accompanied by an interpreter, a police official or any other person who may be able to assist with the inspection.

9.5 FAILURE TO COMPLY WITH COMPLIANCE NOTICE

- 9.5.1 If a person fails to comply with a compliance notice the Municipality may –
- 9.5.1.1 lay a criminal charge against the person;
 - 9.5.1.2 apply to an applicable court for an order restraining that person from continuing the illegal activity, to demolish, remove or alter any building, structure or work illegally erected or constructed without the payment of compensation or to rehabilitate the land concerned; or
 - 9.5.1.3 in the case of a temporary departure or consent use, the Municipality may withdraw the approval granted and then act in terms of section 175 of the By-Law.

9.6 FINDINGS AND APPEALS

- 9.6.1 Any objector or the applicant who is aggrieved by the decision of the Local Municipality or any condition of such decision, can appeal against the decision or condition in the manner prescribed in the section of appeals in the By-Law.

9.7 ADVERTISEMENT SIGNS

- 9.7.1 No advertising sign or display board that is visible from the outside of the property, may be displayed or erected without the consent of the Municipality.
- 9.7.2 The Municipality will disallow such application if it is convinced that the proposed sign or board will be injurious to the amenity of the neighbourhood. Provided further that this Clause does not prohibit the display of a name-plate not exceeding 300mm x 450mm on a fence, entrance, entrance hall or front door of a property or building in use zone "Residential 1" provided that such name-plate be utilised exclusively to indicate the name and vocation of the occupant.

9.8 CONTRAVENTION OF THE SCHEME

- 9.8.1 Any person who contravenes, or deliberately allows the contravention of any stipulation or conditions of the Scheme, or the provisions of any notice or directive by virtue of any stipulation of the Scheme, is guilty of an offence and punishable under the Act.

CHAPTER 10: LAND USE AND LAND DEVELOPMENT APPLICATIONS

10.1 PLANNING APPLICATION

- 10.1.1 An application in terms of this land use scheme may only be submitted as per section 1.12.1.
- 10.1.2 Should there be a change in ownership of the erf or site, either during or after the approval of the application, the new owner shall be deemed to take over the rights as granted or be deemed to be the applicant, in the latter instance, the owner shall notify the Municipality in writing of the said change.
- 10.1.3 No person may use or commence with, carry on or cause the commencement with or carrying on of land development which is not permitted in the land use scheme or for which an approval is granted in terms of this By-Law.
- 10.1.4 When an applicant or owner exercises a land use right granted in terms of an approval, he or she must comply with the conditions of the approval and the applicable provisions of the land use scheme, site development plan, building plans and any other applicable legislation.

10.2 DIVISION OF FUNCTIONS BETWEEN MUNICIPAL PLANNING TRIBUNAL AND LAND DEVELOPMENT OFFICER

- 10.2.1 Categories of applications for purposes of section 35(3) of the Act.
- a) The Council must, subject to subsection 35(4), by resolution, categorise applications to be considered by the Land
 - b) Development Officer and applications to be referred to the Municipal Planning Tribunal.
 - c) When categorising applications contemplated in subsection 35(1), the Council must take cognisance of the aspects referred to in regulation 15(2) of the Regulations.
 - d) If the Council does not categorise applications contemplated in subsection 35(1), regulation 15(1) of the Regulations apply.
 - e) If the municipality is a member of a joint or district Municipal Planning Tribunal by virtue of an agreement concluded in terms of section 34 of the Act, and the agreement does not contain a categorisation as contemplated in section 35(3) of the Act, the Council must, by resolution, categorise applications to be considered by the Land Development Officer and applications to be referred to the Municipal Planning Tribunal.
- 10.2.2 Designation and functions of Land Development Officer
- a) The Municipality must, in writing, determine that the incumbent of a particular post on the Municipality's post establishment is the Land Development Officer of the Municipality.
 - b) The Land Development Officer must:
 - i. assist the Municipality in the management of applications submitted to the Municipality;
 - ii. consider and determine categories of applications contemplated in section 31(1) of the Act.
 - c) The Land Development Officer may refer any application that he or she may decide in terms of section 31 of the Act, to the Municipal Planning Tribunal.

10.3 CRITERIA FOR THE CONSIDERATION OF APPLICATIONS

10.3.1 When the Municipal Planning Tribunal or Land Development Officer considers an application submitted in terms of the By-Law or the Land Use Scheme, it, he or she must have regard to the following:

- a) the application submitted in terms of the By-law or the Scheme;
- b) the procedure followed in processing the application;
- c) the need and desirability of the proposed utilisation of land and any guidelines issued by the Member of the Executive Council regarding proposed land uses
- d) the comments in response to the notice of the application and the comments received from organs of state and internal departments;
- e) the response by the applicant to the comments referred to in paragraph (d);
- f) investigations carried out in terms of other laws which are relevant to the consideration of the application;
- g) a written assessment by a professional planner as defined in Section 1 of the Planning Profession Act, 2002, in respect of land development applications to be considered and determined by the Municipal Planning Tribunal;
- h) the integrated development plan and municipal spatial development framework;
- i) the applicable structure plans;
- j) the impact on the environment in the locality,
- k) the existing and planned bulk engineering services for the area.
- l) the character of other uses in the area
- m) the applicable policies of the Municipality that guide decision-making;
- n) the provincial spatial development framework;
- o) where applicable, the regional spatial development framework;
- p) the policies, principles, planning and development norms and criteria set by national and provincial government;
- q) the matters referred to in Section 42 of the Act;
- r) the relevant provisions of the land use scheme

10.3.2 When the Municipal Planning Tribunal or Land Development Officer approves an application subject to conditions, the conditions must be reasonable conditions and must arise from the approval of the proposed utilisation of land.

10.3.3 Conditions imposed in accordance with Clause 10.3.2 may include conditions relating to;

- a) the provision of engineering services and infrastructure;
- b) the cession of land or the payment of money;
- c) the provision of land needed for public places or the payment of money in lieu of the provision of land for that purpose;
- d) the extent of land to be ceded to the Municipality for the purpose of a public open space or road as determined in accordance with a policy adopted by the Municipality;
- e) settlement restructuring;
- f) agricultural or heritage resource conservation;
- g) biodiversity conservation and management;
- h) the provision of housing with the assistance of a state subsidy, social facilities or social infrastructure;
- i) energy efficiency;
- j) requirements aimed at addressing climate change;
- k) the establishment of an owners' association in respect of the approval of a subdivision;

- l) the provision of land needed by other organs of state;
- m) the endorsement in terms of Section 31 of the Deeds Registries Act in respect of public places where the ownership thereof vests in the municipality or the registration of public places in the name of the municipality, and the transfer of ownership to the municipality of land needed for other public purposes;
- n) the implementation of a subdivision in phases;
- o) requirements of other organs of state;
- p) the submission of a construction management plan to manage the impact of a new building on the surrounding properties or on the environment;
- q) agreements to be entered into in respect of certain conditions;
- r) the phasing of a development, including lapsing clauses relating to such phasing;
- s) the delimitation of development parameters or land uses that are set for a particular zoning;
- t) the setting of validity periods, if the Municipality determined a shorter validity period as contemplated in the By-law;
- u) the setting of dates by which particular conditions must be met;
- v) the circumstances under which certain land uses will lapse;
- w) requirements relating to engineering services as contemplated in Chapter 7 of the By-Law;
- x) requirements for an occasional use that must specifically include –
 - i. parking and the number of ablution facilities required;
 - ii. maximum duration or occurrence of the occasional use; and
 - iii. parameters relating to a consent use in terms of the land use scheme.

10.4 APPLICATIONS IN TERMS OF THE SCHEME / LAND USE APPLICATIONS

10.4.1 Application for *Permitted Uses*

- 10.4.1.1 An application for one or more land uses specified as “Permitted Use” in the applicable Land Use Zone, subject to restrictions with regards to bulk (coverage, FAR, height), density, aesthetics, site development and other conditions.
- 10.4.1.2 When the Scheme categorises a certain land use as a “Permitted Use” use, it does not mean that the land use will automatically, on application, be approved by the Municipality.

10.4.2 Application for *Special Consent Uses*

- 10.4.2.1 An application for one or more land uses specified as “Special Consent Use in the applicable Land Use Zone, subject to restrictions with regards to bulk (coverage, FAR, height), density, aesthetics, site development and other conditions.
- 10.4.2.2 When the Scheme categorises a certain land use as “Special Consent Use”, it does not mean that the land use will automatically, on application, be approved by the Municipality.

10.4.3 Application for **Written Consent**

10.4.3.1 An application for one or more land uses specified as “Written Consent Use” in the applicable Land Use Zone, subject to restrictions with regards to bulk (coverage, FAR, height), density, aesthetics, site development and other conditions.

10.4.3.2 When the Scheme categorises a certain land use as “Special Consent Use”, it does not mean that the land use will automatically, on application, be approved by the Municipality.

10.4.4 **Application for Variance**

10.4.4.1 Where an application proposes an inconsistency with or deviation from any regulation contained in the Scheme, and the inconsistency or deviation is found to be minor, the Municipality may approve an application by granting a variance to the specific regulation e.g.

- a) relaxation in the density of an erf
- b) relaxation of coverage
- c) relaxation of floor area ratio
- d) relation of height

10.4.4.2 When deciding on an application for a variance the Municipality shall have due regard to the spirit and intent of the Scheme and the particular development under consideration.

10.4.4.3 An inconsistency shall be regarded as minor if and when:

- a) The expected impact of the proposed use is not significantly different than that expected for the use as foreseen by the zone, and
- b) The proposed development is a “once-off” deviation and is not likely to lead to further deviations of the land use scheme, and
- c) The proposed development is still consistent with the development objectives and strategies of the Municipality as set out in the current Spatial Development Framework.

10.5 APPLICATIONS IN TERMS OF THE BY-LAW / LAND DEVELOPMENT APPLICATIONS

10.5.1 Types of applications that shall be submitted, admitted and decided in terms of the By-Law and other applicable legislation are:

10.5.1.1 Establishment of a township or the extension of the boundaries of a township;

10.5.1.1.1 An application for, or intention of, the establishment of a township or the extension of boundaries of an approved township shall be submitted and decided in terms of Section 59 of the By-Law, as applicable.

10.5.1.2 Division or phasing of a township;

10.5.1.2.1 An application for, or intention of, the division on an approved township into two or more separate townships shall be submitted and decided in terms of Section 60 of the By-Law.

10.5.1.3 Amendment or cancellation in whole or in part of a general plan of a township;

10.5.1.3.1 An application for, or intention of, the alteration, amendment or cancellation of the general plan of an approved township shall be submitted and decided in terms of the provisions of Section 69 and Section 70 of the By-Law.

10.5.1.4 Amendment of an existing scheme or land use scheme by the rezoning of land;

10.5.1.4.1 An application for, or intention of, the amendment of an existing scheme or land use scheme by rezoning of land shall be submitted and decided in terms of Section 66 of the By-Law.

10.5.1.5 Removal, amendment or suspension of a restrictive or obsolete condition, servitude or reservation registered against the title of the land;

10.5.1.5.1 An application for, or intention of, the amendment, suspension or removal of restrictive conditions or obsolete condition, servitude or reservation registered against the title of the land shall be lodged and decided in terms of Section 67 of the By-Law.

10.5.1.6 Subdivision of land;

10.5.1.6.1 An application for, or intention of the subdivision of land, shall be lodged in term of Section 71 of the By-Law.

10.5.1.7 Amendment or cancellation of a subdivision plan;

10.5.1.7.1 An application for, or intention of the amendment or cancellation of a subdivision plan, shall be lodged in term of Section 74 of the By-Law.

10.5.1.8 Consolidation of land;

10.5.1.8.1 An application for, or intention of the consolidation of land, shall be lodged in term of Section 77 of the By-Law.

10.5.1.9 Permanent closure of any public place;

10.5.1.9.1 An application for, or intention of the permanent closure of any public place, shall be lodged in terms of Section 79 of the By-Law.

10.5.1.10 Consent use;

10.5.1.10.1 An application for consent use, shall be lodged in terms of Section 80 of the By-Law.

10.5.1.11 Permanent or temporary departure from land use scheme

10.5.1.11.1 An application for, or intention of a permanent or temporary departure shall be lodged in terms of Section 82 of the By-Law.

10.5.1.12 Exemption of a subdivision and consolidation from the need for approval;

10.5.1.12.1 The exemption for a subdivision and consolidation is stipulated in Section 75 of the By-Law;

10.5.2 Procedures and requirements for land use applications in Rural Areas

10.5.2.1 The scheme acknowledges the function of the traditional authorities, but seeks to establish the following rules:

10.5.2.1.1 An applicant who wishes to develop on or change the land use purpose of communal land located in the area of a traditional council where such development will have a **high impact** on the community or such change requires approval in terms of the land use scheme applicable to such area, must apply to the Municipality in the manner provided for in the By-Law.

10.5.2.1.2 No application pertaining to land development on or change the land use purpose of communal land may be submitted unless accompanied by Tribal Resolution signed by the applicable traditional council.

10.5.2.1.3 proof of a decision taken by the majority of the community members who will be affected by such development who are present at a meeting, of which they have been given sufficient notice and in which they have had a reasonable opportunity to participate, that was convened for the purpose of considering whether their informal right to land maybe disposed of as a result of such high intensity development, and the provisions of the municipal by-law apply to that application.

10.5.2.1.4 Where applicable, the applicant should submit the following;

- a) proof of consent from such owners of abutting properties that are determined by the Municipality;
- b) a Site Development Plan or sketch sufficient for the Land Development Officer to make a decision; and

- c) Minutes and an attendance register, signed off by a municipal official in attendance, of a public meeting held to consider the proposed development.

10.5.2.1.5 The Local Municipality must develop shortened procedures for low intensity applications.

10.5.2.1.6 An applicant who is desirous to change the land use purpose of communal land prior to the adoption of a land use scheme in terms of the Act and the municipal by-law, whether or not such change will result in a high intensity development or a low intensity development, must apply to the Local Municipality for approval thereof and the provisions of the by-law applies to such an application.

10.5.2.1.7 The Traditional Council must keep and update a land use register. This register should be made available to the Local Municipality from time to time.



10.5.2.1.8 The following land uses are deemed as high and low intensity land uses. Any applicant who aims to develop any high intensity land uses on communal land should apply to the Local Municipality for approval:

Table 6: High and Low Intensity Uses

HIGH INTENSITY USES	LOW INTENSITY USES
Abattoir	Crèches;
Cemetery	Day Care Facility.
Community services, including educational institutions and health care facilities	Home Enterprise/Occupation.
Crematorium and funeral parlour	Nursery.
Factory	Place of Assembly
Filling station and public garage	Small Scale Agriculture.
Guest house	Spaza Shops,
High density residential	Tribal Offices.
Industry and light industry	
Manufacturing, micro-manufacturing, retail selling, and distribution as contemplated in the Liquor Act, 2003 (Act No. 59 of 2003)	

Mining	
Noxious use	
Office	
Panel beating	
Place of worship	
Retail service, including a shopping complex and supermarket	
Scrapyard	
Tavern	
Any other development which may require a specialist report, including a geotechnical report or environmental impact assessment.	

10.5.2.1.9 These high and low intensity land uses apply only to communal land, land under traditional / tribal leadership / council and/or unsurveyed State Land.

10.5.2.1.10 The following rules further apply to the allocation of all land uses in communal land, land under traditional / tribal leadership / council and/or unsurveyed State Land.

- a) Do not allocate any land use except for public open space within the area indicated on the scheme maps as a flood line using the symbology indicated below:
- b) Do not allocate any land outside the edge of the village indicated on the land use scheme maps using the symbology indicated below:

In the event that no more land is available for allocation, the Traditional Authority should notify the Development Planning Department of Blouberg Local Municipality. The Municipality will update the scheme maps to allow for future areas that can be allocated.

- c) Allocate land uses (especially residential land uses) in the area on the map zoned as "Commonage"

CHAPTER 11: APPLICATION PROCEDURES

The procedures contained in this chapter are applicable to all applications in terms of the Scheme, specified in Chapter 11 of the Scheme, in addition to or in conjunction with the procedures prescribed in Chapter 6 of the Blouberg Local Municipality By-Law on Spatial Planning and Land Use Management 2017, or any relevant legislation.

11.1 APPLICATION

11.1.1 An applicant intending to apply to the local municipality:

- a) shall submit such application to the local municipality in writing, in the prescribed manner.
- b) shall pay the prescribed application fees with the submission of the application.

11.1.2 The municipality may determine in relation to any application:

- a) information specifications relating to matters such as size, scale, colour, hard copy, number of copies, electronic format and file format;
- b) the manner of submission of an application

11.2 INFORMATION REQUIRED

11.2.1 Any application in terms of the scheme or the by-law must be completed on a form approved by the Council, signed by the applicant and submitted to the Municipality.

11.2.2 Any application referred to in section 11.2.1 must be accompanied by the information set out in Section 90(2)(3)(4), of the By-Law.

11.3 APPLICATION FEES

11.3.1 An applicant must pay the application fees approved by the Council prior to submitting an application in terms of this By-law.

11.3.2 Application fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany the application.

11.4 RECEIPT OF APPLICATION AND REQUEST FOR FURTHER INFORMATION

The municipality must;

- 11.4.1 record the receipt of an application in writing or by affixing a stamp on the application on the day of receipt and issue proof of receipt to the applicant;
- 11.4.2 notify the applicant in writing of any outstanding or additional plans, documents, other information or additional fees that it may require within 30 days of receipt of the application or the further period as may be agreed upon, failing which it is regarded that there is no outstanding information or documents; and
- 11.4.3 if the application is complete, notify the applicant in writing that the application is complete within 30 days of receipt of the application.

- 11.4.4 Should the municipality request additional information, the applicant must provide the Municipality with the information or documentation required for the completion of the application within 30 days of the request therefor or within the further period agreed to between the applicant and the Municipality.
- 11.4.5 The Municipality may refuse to consider the application if the applicant fails to provide the information within the timeframes contemplated in section 11.4.4.
- 11.4.6 The Municipality must notify the applicant in writing of the refusal to consider the application and must close the application.
- 11.4.7 An applicant has no right of appeal to the appeal authority in respect of a decision contemplated in section 11.4.6. to refuse to consider the application.
- 11.4.8 If an applicant wishes to continue with an application that the Municipality refused to consider under section 11.4.5, the applicant must submit a new application and pay the applicable application fees.

11.5 CONFIRMATION OR ACKNOWLEDGEMENT OF COMPLETE APPLICATION

- 11.5.1 The Municipality must notify the applicant in writing that the application is complete and that the notices may be placed as contemplated in this Chapter, within 21 days of receipt of the additional plans, documents or information required by it or if further information is required as a result of the furnishing of the additional information.

11.6 NOTIFICATION OF APPLICATION

- 11.6.1 The Municipality may, on prior written request and motivation by an applicant, determine that
- a) a public notice procedure carried out in terms of another law in respect of the application constitutes public notice for the purpose of an application made in terms of the By-law; or
 - b) notice of an application made in terms of the By-law may be published in accordance with the requirements for public notice applicable to a related application in terms other legislation.
- 11.6.2 The Municipality must, within 30 days of having notified the applicant that the application is complete, simultaneously;
- a) cause public notice of the application to be given in terms of section 98(1) of the By-Law; and
 - b) forward a copy of the notice together with the relevant application to every municipal department, service provider and organ of state that has an interest in the application unless it has been determined by the Municipality that a procedure in terms of another law, as determined in section 11.6.1 is considered to be public notice in terms of the By-law.
 - c) an agreement must be entered into by the Municipality and the relevant organs of state to facilitate the simultaneous publication of notices.
- 11.6.3 The Municipality may require the applicant to give the required notice of an application in the media.
- 11.6.4 Where an applicant has published a notice in the media at the request of the Municipality, the applicant must provide proof that the notice has been published as required.

11.7 CONTENT OF NOTICE

- 11.7.1 A notice of an application must be given in terms of section 98 and section 99 of the By-Law, and the notice must contain the information as set out in section 100 and section 101 of the By-Law.

11.8 NOTICE BY MUNICIPALITY

- 11.8.1 The Municipality may, at its discretion, give further notice of the applications as it may deem necessary, including the placing of a notice on the municipal notice board and/or website.

11.9 PARTICIPATION

- 11.9.1 The Municipality may, in its sole discretion, instruct the applicant to take any reasonable measures to ensure that all persons and/or institutions likely to be affected by the proposals in the application will receive fair notice of the intended development.
- 11.9.2 The Municipality may, in its sole discretion, instruct the applicant to take any reasonable measures to ensure that all persons and/or institutions likely to be affected by the proposals contained in the application will have fair opportunity to make representations to and/or objections against the application, which includes holding a community meeting, which purpose shall be to:
- a) Present the proposals contained in the application to the land owners, persons, institutions and communities most affected thereby,
 - b) Ensure that the proposed amendment are accommodating of local development desires and needs,
 - c) Facilitate consultative planning, and
 - d) Ensure that the proposed amendment has the approval of the majority of landowners, persons, institutions and communities most affected thereby.

11.10 COMMENTS

- 11.10.1 The applicant shall request, on or before the date of the commencing of the period of objections in the form prescribed, the comment from any or all of the persons, bodies or institutions mentioned below:
- a) The respective Traditional Authority and Ward Councillor of the area of jurisdiction within which the property is located.
 - b) The provincial Department of Agriculture and Land Administration, when a township is established, agricultural land is affected or a development is proposed that may have an impact on surrounding Municipalities areas of jurisdiction,
 - c) The Provincial Department of Roads and Transport, when the proposed amendment is likely to impact on Provincial roads,
 - d) The Provincial and/or National Department of Public Works if any provincially or State-owned properties are affected,
 - e) 197
 - f) The National Department of Transport, when the proposed amendment is likely to impact on National roads,
 - g) The National Department of Agriculture when agricultural land is affected,
 - h) Everybody providing any engineering service to the land concerned or to the municipality,
 - i) The Department of Minerals and Energy and any person holding mineral, mining or prospecting rights on the land, and
 - j) Any other department or division of the Limpopo Provincial Government, any other National Department which or any other person who, in the opinion of the municipality, may have an interest in the application.

11.11 SERVING OF NOTICES

- 11.11.1 A notice must be served in terms of section 99 of the By-Law.

11.12 PROOF OF NOTIFICATION

- 11.12.1 The Municipality must, within 21 days of its decision, in writing notify the applicant and any person whose rights are affected by the decision of the decision and their right to appeal if applicable.

- 11.12.2 If the owner has appointed an agent, the owner must take steps to ensure that the agent notifies him or her of the decision of the Municipality.

11.13 DECISION-MAKING PERIOD

- 11.13.1 The Municipal Planning Tribunal and the Land Development Officer must, if no integrated process is being followed as contemplated in section 97 of the By-Law.

11.14 DETERMINATION OF APPLICATION

- 11.14.1 The Municipality may in respect of any application submitted in terms of this Chapter –
- a) approve, in whole or in part, or refuse any application referred to it in accordance with this By-law;
 - b) on the approval of any application, impose any reasonable conditions, including conditions related to the provision of engineering services and the payment of any development charges;
 - c) make an appropriate determination regarding all matters necessary or incidental to the performance of its functions in terms of this By-law, the Act and provincial legislation;
 - d) conduct any necessary investigation;
 - e) give directions relevant to its functions to any person in the service of the Municipality;
 - f) decide any question concerning its own jurisdiction;
 - g) appoint a technical adviser to advise or assist in the performance of the Municipal Planning Tribunal's functions in terms of this By-law;

11.15 NOTIFICATION OF DECISION

- 11.15.1 The Municipality must, within 21 days of its decision, in writing notify the applicant and any person whose rights are affected by the decision of the decision and their right to appeal if applicable.

11.16 EXTENSION OF TIME FOR FULFILMENT OF CONDITIONS OF APPROVAL

- 11.16.1 If an applicant wishes to request an extension of the time provided for in the approval in order to comply with the conditions of approval, this request must be in writing and submitted to the Municipality least 60 days in advance of the date on which the approval is due to lapse.

11.17 WITHDRAWAL OF APPROVAL


- 11.17.1 The Municipality may withdraw an approval granted in terms of section 119 and section 120 of the By-Law.

11.18 EXEMPTIONS TO FACILITATE EXPEDITED PROCEDURES

- 11.18.1 The Municipality may in writing –
- a) exempt a development from compliance with the provisions of the By-law to reduce the financial or administrative burden of;
 - i. integrated procedures as contemplated in section 97 of the By-Law
 - ii. the provision of housing with the assistance of a state subsidy
 - iii. incremental upgrading of existing settlements
- 11.18.2 in an emergency, authorise that a development may depart from any of the provisions of this By-law

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ANNEXURE B

	<p>BLOUBERG LOCAL MUNICIPALITY DEPARTMENT OF DEVELOPMENT PLANNING SPATIAL PLANNING AND LAND USE MANAGEMENT DIVISION TOWN PLANNING SECTION</p> <p>P.O. Box 1593 SENWABARWANA 0790 Tel: No.: 015 505 7100 Fax: No.: 015 505 0568 / 0296 E-mail: info@bloubergmunicipality.gov.za</p>
<p align="center">APPLICATION FORM FOR REZONING IN TERMS OF SECTION 66 OF THE BLOUBERG SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2016</p>	
<p><i>This application form should be completed in full. If any information is incomplete this might result in a rejection of the application. The application must be submitted before newspaper advertisements are published and site notices are placed on the property.</i></p>	
<p>The application must be motivated and considered in terms of:</p> <ul style="list-style-type: none"> ★ The Need and Desirability (Use applied for) ★ The Character of other uses in the area; ★ Relevant Land Use Management Policy of the Municipality or By-Law; 	
<p>1. APPLICANT STATUS</p>	
1.1. Person allocated land / registered owner:	
1.2. Authorized agent:	
1.3. Other:	
<p>2. APPLICANT DETAILS</p>	
2.1. Company:	
2.2. Surname:	
2.3. Full names:	
2.4. Initials:	
2.5. E-mail address:	
2.6. Telephone number:	
2.7. Cellular Phone number:	
2.8. Fax number:	
2.9. Physical Address and Postal Code:	
2.10. Postal Address and Postal Code:	
<p>3. REGISTERED OWNER ACCORDING TO TITLE DEED (only required if different to applicant's details)</p>	

3.1. Company:	
3.2. Surname:	
3.3. Full names:	
3.4. Initials:	
3.5. E-mail address:	
3.6. Telephone number:	
3.7. Cellular Phone number:	
3.8. Fax number:	
3.9. Physical Address and Postal Code:	
3.10. Postal Address and Postal Code:	
4. PROPERTY INFORMATION	
4.1. Township:	
4.2. Erf number:	
4.3. Property Size (in m2):	
4.4. Current Land Use:	
4.5. Current Zoning (Scheme):	
4.6. Proposed Zoning:	
4.7. Proposed Land Use:	
4.8. Present Height:	
4.9. Present Density (Scheme):	
4.10. Present Coverage (scheme):	
4.11. Present FAR (Scheme):	
4.12. Amendment Scheme No:	
4.13. Title Deed No:	
4.14. Restrictive Title Deed Condition Paragraph No:	
4.15. Bond (Yes/No):	
4.16. If Yes in 4.13 specify Bond Account, No:	
4.17. Bondholder's name:	
5. REQUIRED DOCUMENTS	
Please Mark with an X	Please Mark with an X
Application fee	Locality plan
Covering letter	Zoning map
Application form	Land use map
Motivational memorandum	Map 3 and scheme clauses
Power of attorney	Newspaper advertisements and Provincial Gazette advertisements
Company resolution	Site notices/Placards
Proof of ownership	Affidavit (on expiry date of the advertisement)
Bondholder's consent	Comments from other Departments/ Organisations
<i>Please note: three (3) copies of an application must be submitted</i>	

Signature of Applicant:	Date: