

THULAMELA LOCAL MUNICIPALITY

FINAL LAND USE SCHEME

JUNE 2026



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PART I – GENERAL: INTRODUCTION TO THE SCHEME

1. Title

- 1.1** This Scheme shall be known as the Thulamela Land Use Scheme, 2026, promulgated by virtue of Notice No: 782 of 2026 dated 24 July 2026 in the Limpopo Provincial Gazette No: 3845 and shall hereafter referred to as the "Scheme".

2. Responsible Authority

- 2.1** The Thulamela Local Municipality hereafter referred to as the "Municipality" or "Local Authority" or its successor in title, shall be the authority responsible for enforcing and carrying out the provisions of this Scheme.

3. Fixed Date

- 3.1** The Scheme shall come into operation on the date determined by the Municipal Manager by the publication of a notice thereof in the Provincial Gazette, this being the "Fixed Date".

4. Purpose

- 4.1** As described in the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) and the Thulamela By-law on Spatial Planning and Land Use Management, 2016, 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;
- (d) Minimal impact on public health, the environment and natural resources;
- (e) Harmonious and compatible land use patterns;
- (f) Aesthetic considerations;
- (g) Sustainable development and densification; and
- (h) The accommodation of cultural customs and practices of traditional communities in land use management.

5. Principles

- 5.1** Any competent authority taking a decision in respect of any matter contemplated in this Scheme, shall be guided by the Development Principles enshrined in Section 7 of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013).

6. Objectives

6.1 A Land Use Scheme is a tool used by municipalities to guide and manage development according to the vision, strategies and policies of the Integrated Development Plan (IDP) and Spatial Development Framework (SDF) and the interests of the general public to promote sustainable development and quality of life.

6.2 The aims of this Scheme are to:

- (a) Provide a single, user-friendly mechanism applicable to all land whereby land use is obtained, held and regulated,
- (b) Simplify land use management,
- (c) Provide for sufficient participation in planning matters by all concerned and interested parties, especially the marginalised poor and uninformed, d) incorporate indigent heritage and cultural values into the land use planning of the Scheme Area,
- (d) Ensure that there is sufficient supply of serviced and suitable land for housing, employment, commercial activities, community facilities, recreational and open space,
- (e) Provide for housing choice and variety in neighbourhoods with a community identity and high levels of amenity,
- (f) Be flexible in content and administration to provide for different local circumstances,
- (g) Encourage private sector initiative and pro-active co-operation between the private sector and the Municipality,
- (h) Assist employment and economic growth by facilitating the timely provision of suitable land for retail, commercial, industrial, entertainment and tourist developments as well as providing opportunities for homebased employment,
- (i) Balance the usually stagnant nature of land use control with the usually more dynamic nature of private sector-driven investment and development,
- (j) Provide greater integration and linking of the usual municipal planning functions of forward planning (Municipal SDF) and land use control (Scheme),
- (k) Provide a mechanism whereby desirable development can be facilitated in the Municipality,
- (l) Provide integrated environmental management mechanisms to protect and enhance the environmental values and natural resources of the Scheme Area,
- (m) Provide for developments with special requirements, and
- (n) Provide a mechanism whereby national, provincial and regional plans and policy directives can be implemented.

6.3 This Scheme is intended to be transparent and to provide information to officials, consultants, home-owners, developers and politicians on what may or may not occur on a parcel of land or what the Municipality may consider at its own discretion.

7. Legal Status of the Scheme

7.1 This Land Use Scheme is prepared in terms of the Section 24 of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013), Chapter 3 of the Thulamela By-law on Spatial Planning and Land Use Management, 2016 and replaces the following Scheme previously in use in the Thulamela Local Municipal area:

(a) Thulamela Land Use Scheme, 2020

7.2 In accordance with Section 26 of the Act:

- (b) Has the force of law, and all owners and users of land, including a Municipality, a state-owned enterprise and organs of state within the municipal area are bound by the provisions of such a Land Use Scheme;
- (c) Replaces all existing Schemes within the municipal area to which the Land Use Scheme applies; and
- (d) Provides for land development rights.

7.3 Land may only be used for the purposes permitted:

- (a) By a Land Use Scheme;
- (b) By a town planning Scheme, until such Scheme is replaced by a Land Use Scheme; or
- (c) In terms of Clause 7.4 of the Scheme.

7.4 Permitted land use may, despite any other law to the contrary, be amended after following a prescribed process as set out in law.

7.5 The use of all land included in the area of this Land Use Scheme shall be controlled by the Land Use Scheme. No land or building may be used for any purposes other than that permitted in this Land Use Scheme and it is binding to all persons and the State.

7.6 Nothing in this Scheme overrides a restrictive condition imposed in terms of relevant legislation.

8. A Statement identifying the Powers, Functions and Duties of the Municipality in relation to the Scheme

8.1 This Scheme (i.e. including the zoning maps and the register of land use rights) must be available for public inspection in the Municipal Offices during normal municipal office hours and extracts from this Scheme are obtainable at the Municipal Offices on payment of the prescribed tariffs.

8.2 In accordance with Section 32 of the Act, the Municipality may:

- (a) Pass Bylaws aimed at enforcing its Land Use Scheme; and
- (b) Apply to a court for an order:

- i. interdicting any person from using land in contravention of its Land Use Scheme;
- ii. authorising the demolition of any structure erected on land in contravention of its Land Use Scheme, without any obligation on the Municipality or the person carrying out the demolition to pay compensation; or
- iii. directing any other appropriate preventative or remedial measure.

8.3 The Municipality:

- (a) may designate a municipal official or appoint any other person as an inspector to investigate any non-compliance with its Land Use Scheme; and
- (b) must issue each inspector with a written designation or appointment in the prescribed form, stating that the person has been appointed in terms of this Act.

9. A Record of Dates of the Adoption and Amendments

9.1 In accordance with Section 31 of the Act:

- (a) The Municipality must keep and maintain a written record of all applications submitted, and the reasons for decisions in respect of such applications for the amendment of its Land Use Scheme.
- (b) The written record referred to in subsection 9.1(a) must be accessible to members of the public during normal office hours at the Municipality's publicly accessible office.

10. Key legal requirements of applicable legislation

10.1 The Constitution of the Republic of South Africa 1996, (Act No. 108 of 1996)

Chapter 7, Section 151 of the Constitution provides for the establishment of the local sphere of government consisting of wall-to-wall municipalities for the whole of the territory of the Republic of South Africa. Sections 152 and 156 of the Constitution outline the scope of the powers and functions of municipalities. Section 156 of the Constitution clearly states that municipalities have executive authority in respect of and has the right to administer the local government matters listed in parts B of schedules 4 and 5 to The Constitution, which inter alia, include administering all spatial planning, land use management and land development controls within their areas of jurisdiction.

10.2 Local Government: Municipal Systems Act, 2000 (Act No.32 of 2000)

The Municipal Systems Act defines the legal nature of municipalities as part of a system of co-operative government. It also clarifies the rights and duties of the municipal council, local communities, and the municipal administration. Clarifying the rights and obligations of different parties is an important step towards strengthening the democratic contract at the local level.

10.3 Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013)

The Act aims to develop a new framework to govern planning permissions and approvals, sets parameters for new developments and provide for different lawful land uses in South

Africa. The Act is a framework law, which means that the law provides broad principles for a set of laws that will regulate spatial planning. The Act also provides clarity on how planning law interacts with other laws and policies. This Thulamela Land Use Scheme is prepared in terms of Chapter 5 Sections 24 to 30 of the Act.

10.4 Thulamela Local Municipality Spatial Planning and Land Use management By-Law (2016)

Chapter 3 of the Thulamela Local Municipality Spatial Planning and Land Use Management By-Law (2016) is in line with Chapter 5 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013). This Land Use Scheme is also prepared in terms of Chapter 3 of this By-Law.

10.5 National Environmental Management Act, 1998 (Act No. 107 of 1998)

Requirements for Environmental Impact Assessments for scheduled uses in terms of the National Environmental Management Act and EIA Regulations. NEMA makes provision for the formulation of Environmental Implementation Plans, which are the vehicles for implementing the NEMA principles to which municipalities are legally obliged to conform.

10.6 National Environmental Management: Biodiversity Act, 2004 (Act No.10 of 2004)

The National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) provides for the management and conservation of biodiversity at national and bioregional scale. Once a bioregional plan is published, municipal IDPs and SDF's need to take them into consideration.

10.7 Environmental Conservation Act, 1989 (Act No. 73 of 1989)

This Act provides for the listing of activities that require certain environmental impact assessment procedures to be complied with before implementation. This act is of particular note for the activities of settlement planning and land use management.

10.8 National Water Act, 1998 (Act No.36 of 1998)

This Act provides that no person or authority shall establish a township unless the township layout plan indicates the 1:100 year flood line. The Act makes provision for river flow management and allows the Minister of Water Affairs to regulate activities that impact on stream flow. Applications to the Department of Water Affairs need to be submitted in terms of this act for the use of dams, rivers and forests.

10.9 National Heritage Resources Act, 1999 (Act No.25 of 1999)

This Act provides for the creation of the South African Heritage Resources Agency (SAHRA), which together with provincial heritage resources authorities are obliged to identify those places that have special national and or provincial significance in terms of heritage assessment criteria. A heritage resource is protected by law from certain actions (alteration, subdivision or change in land use) without the necessary consents from the

relevant authority. There can be no alteration or demolition of premises over 60 years old without the necessary permissions.

10.10 Conservation of Agricultural Resources Act, 1983 (Act No.43 of 1983)

The Conservation of Agricultural Resources Act, 1983 (Act No.43 of 1983) provides for the conservation of natural agricultural resources through prevention of erosion and the destruction of water resources, and veld protection measures.

This Act empowers the Minister of Agriculture to prescribe control measures relating to the utilisation and protection of land that is cultivated, the maximum number and the kind of animals that may be kept on the veld etc.

10.11 National Forest Act, 1998 (Act No.84 of 1998)

This Act provides measures to protect coastal flora and other forests from disturbance, damage or destruction.

10.12 National Land Transport Act, 2009 (Act No. 5 of 2009)

Section 38 (2) of this Act states that all persons are bound by the plans prepared in terms of this Act and that no change in land use can occur without the consent of the Transport Planning Authority.

10.13 Mineral and Petroleum Resources Development Act, 2002 (Act No.28 of 2002)

The Minister of Minerals and Energy has to consent or decline an application for township development in terms of Section 53 of the said act.

10.14 National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977)

Act (Act 103 of 1977) 1977 as amended intends to provide:

- for the promotion of uniformity in the law relating to the erection of buildings in the areas of jurisdiction of local authorities,
- for the prescribing of building standards, and
- for matters connected therewith.

11. Reference to Strategic Planning Documents

11.1 The Municipal Systems Act, 200 (Act No.32 of 2000) provides that there should be a direct relationship between Spatial Development Framework, Integrated Development Plan, and the Municipal Land Use Management Scheme:

- (a) The Scheme is developed in part to regulate various development priorities identified in the IDP and visually reflected in the SDF.

- (b) If the SDF is reviewed and major changes are made, changes should be translated into the Scheme, if feasible.
- (c) It gives effect to the municipal SDF and determines the use and development of land and buildings within the Municipality in order to promote orderly development.
- (d) It provides site specific details on land use rights where the SDF broadly indicates the development outcomes.
- (e) It sets out the procedures and conditions relating to the use and development of land in any zone, thus regulating the form and the nature of development in a site.

12. Authority of Land Use Scheme

- 12.1** 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 enactment results from the terms of the Thulamela By-Law on Spatial Planning and Land Use Management.
- 12.2** As from the commencement ("fixed") date as published in the Provincial Gazette, these regulations shall apply to all the land under the jurisdiction of the Thulamela Local Municipality.
- 12.3** If any provision in this Scheme is struck down as invalid by a court of law, such provision shall be severed from the Scheme, but shall not affect the validity of the remaining provisions.

13. Scheme Maps

- 13.1** The Scheme Map comprises of a series of maps reflecting all areas that fall within the jurisdiction of Thulamela Municipal Area.
- 13.2** The Scheme Maps are available electronically on the Municipality's GIS System.
- 13.3** A hardcopy of a map or maps could be made available upon request and at a fee. Printed maps should include a title block with the following information:
 - (a) A descriptive heading identifying the area of the Scheme;
 - (b) The Municipality's name and contact details;
 - (c) North point and scale;
 - (d) Date of map printed; and
 - (e) A legend interpreting the colour notation.
- 13.4** Printed Scheme maps are only valid for the day on which it was printed, and it remains the responsibility of the user of the maps to ensure accuracy of maps where it may have any significant personal, legal or financial implications.

14. Area of the Land Use Scheme

- 14.1** The Scheme is applicable to the area of jurisdiction of the Thulamela Local Municipality, as proclaimed by LIM 343.

15. Conflict between provision of this Land Use Scheme, Conditions of Title and Legislation

15.1 Any consent or authorisation or approval granted by the Municipality by virtue of provisions of this Scheme does not entitle any person to use any land, or to erect or use buildings thereon in any manner or for any purpose which is prohibited by the provisions of any condition registered against the title deed under which such land is held, or any other law which prohibits such use in respect of such land or any rights which attach to land situated within the area of the Scheme.

15.2 If the use of land for any purpose is permitted in terms of this Scheme, but is otherwise restricted in the Title Deed of such land, the onus lies with the owner of such property to:

- (a) remove or amend the title restriction by following the required procedure provided in the applicable legislation; and
- (b) submit proof to the satisfaction of the Municipality that such restrictive title condition has been removed.

15.3 If the use of land for any purpose is permitted in terms of this Scheme, but is otherwise restricted in terms of any other law, the onus lies with the owner of such property to:

- (a) procure the authorisation required in terms of such law to use the land for such purpose, or to remove or cancel such restriction in the manner prescribed or by other appropriate relief; and
- (b) submit proof to the satisfaction of the Municipality that such authorisation has been procured, alternatively that such restriction has been removed.

15.4 Where the Scheme regulations are in conflict with national and provincial legislation, the provisions of such legislation shall prevail, save where such regulations are a Local Authority competency, as mandated by the Constitution of the Republic of South Africa.

15.5 If the Scheme regulations conflict with a by-law or any other subordinate legislation, these regulations shall prevail.

15.6 Conflict of Laws and Interrelationships

15.6.1 In terms of the Thulamela SPLUMA Bylaws, 2016, the following directives are made:

- 15.6.1.1 Where provision of the land use scheme is in conflict with the provisions of the Bylaw, the provisions of the Bylaw shall prevail.
- 15.6.1.2 Where there is a conflict between the SPLUMA, 2016 and another Bylaw of the Municipality, the SPLUMA shall prevail in respect of any municipal planning matter.

15.6.2 In respect of the SDF and LUMS:

- 15.6.2.1 The Municipality prepares a Spatial Development Framework in accordance with the provisions of Sections 20 and 21 of the Act, read with Sections 23-35 of the MSA.
- 15.6.2.2 A Municipal SDF does not confer or take away land use rights, but guides and informs decisions to be made by the Municipality relating to land development.
- 15.6.2.3 The objective of the Spatial Development Framework is, with due consideration of a wide variety of circumstances and factors which include current development, vacant land, urban fabric, environmental and geotechnical characteristics, pending projects, infrastructure and desired outcomes to craft a spatial illustration of future development goals.
- 15.6.2.4 The SDF can be devolved/extended to incorporate development policies and the formulation of Local Spatial Development Frameworks/plans to provide detailed spatial planning guidelines or further plans for specific geographic areas.
- 15.6.2.5 A Land Use Scheme is subject to Sections 24-30 of the Act.
- 15.6.2.6 A Scheme entrenches land use rights in order to promote harmonious and compatible land use patterns, aesthetic considerations and sustainable development and densification and accommodation of cultural customs and practices of traditional communities in land use management.
- 15.6.2.7 A Land Use Scheme essentially deals in land use control and contributes to the achievement of the objectives of the Spatial Development Framework by the approval or refusal of land development applications, depending on whether the development proposal adds to, or deviates from, the SDF.
- 15.6.2.8 The Spatial Development Framework and the Land Use Scheme are complementary as the vision propagated in the SDF can be solidified and entrenched by the allocation of appropriate development rights in response to land development applications which support the vision.
- 15.6.2.9 Legally, the Municipality may not approve land development applications (i.e. allocation of rights in terms of the LUMS) if the anticipated result is contrary to the aim of the Spatial Development Framework.
- 15.6.2.10 In this context, the Municipality may make a ruling regarding the perceived impact of the development.
- 15.6.2.11 In broad terms, the SDF prevails over the Scheme insofar as the allocation of new rights is concerned.

16. Rectification of Errors on Land Use Scheme Map

- 16.1** If the zoning of a land unit is incorrectly indicated on the zoning map or incorrectly indicated in the register of land use rights, or wrongly converted from a zoning map of a

former Land Use Scheme, the owner of an affected land unit may submit an application to the Municipality to correct the error.

- 16.2** An owner contemplated in subsection 16.1 must apply to the Municipality in the form determined by the Municipality and must:
- (a) Submit written proof of the lawful land use rights; and
 - (b) Indicate the suitable zoning which should be allocated.
- 16.3** The onus of proving that the zoning is incorrectly indicated on the Land Use Scheme Map and/or incorrectly indicated in the Register of Land Use Rights rests with the owner.
- 16.4** The owner is exempted from paying application fees and from liability for the costs of public participation upon application to rectify an error on the Land Use Scheme map.
- 16.5** If the Municipality approves the application, the Municipality must update the electronic zoning map and register of land use rights.
- 16.6** The Municipality may refuse an application to correct the zoning map and register of land use rights if the owner fails to submit written proof of the lawful land use rights.
- 16.7** The Municipality may correct a zoning map and the register of land use rights if it finds and error on the map after:
- (a) Notifying the owner in writing of its intention to correct the erroneous conversion or error;
 - (b) Inviting the owner to make representations within a specified period in respect of the proposed correction of the errors on the zoning map and in the register of land use rights; and
 - (c) Considering any representations received from the owner.

PART II – DEFINITIONS

17. General Terminology

17.1 In this Scheme, unless the context otherwise indicates, or it is otherwise expressly provided, any word shall, when used in the context of the Scheme, have the meaning assigned to it hereunder.

“Act” or “The Act” refers to the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) Spatial Planning and Land Use Management Regulations: Land Use Management and General Matters, 2015 and any subsidiary legislation or other legal instruments issued in terms thereof.

“Adjacent Properties” means properties immediately adjacent to and abutting on the subject property, including properties located in line with, and across, any street or road from the subject property.

“Adjacent Property Owners” means the registered owners of the properties directly adjacent to the subject property as well as properties abutting any streets to which the subject property has direct access within such a radius, with the subject property as centre point, as determined by the Municipality and also such other owners or interested parties as the Municipality may specify.

“Ancillary and Subservient Use” means a use, building or activity which is subservient to, related to and reasonably required for the conducting of the dominant use on the property. Notwithstanding anything contained in this Scheme, a ruling by the Municipality in respect of an ancillary use shall be decisive and final.

“Additional Structures to a Mobile Dwelling Unit” means any structure attached to, or detached from, a mobile dwelling unit, but which is incidental thereto.

“Advertising Board” means any board, supported by a free-standing structure which also includes a gantry that spans the road, which is used or intended to be used for the purpose of posting, displaying or exhibiting of an advertisement.

“Agricultural Holding” means a portion of land not less than one morgen in extent used solely or mainly for the purpose of agriculture or horticulture or for breeding or keeping domestic animals, poultry or bees.

“Antenna” means any system of wires, poles, rods, reflective surfaces or similar devices, used to transmit or receive electronic communication signals or electromagnetic waves.

“Appeal Authority” means the executive authority of the Municipality, the Municipal Appeal Tribunal established in terms of the By-Law or any other body or institution outside of the Municipality authorised by that Municipality to assume the obligations of an appeal authority for purposes of appeals lodged in terms of the Spatial Planning and Land Use Management Act, 2013.

“Applicant” means a person who makes a land development application contemplated in Section 45 of the Spatial Planning and Land Use Management Act, 2013.

“Application” means a land development and land use application as contemplated in the Act.

“Approval” means the written approval as granted by the Thulamela Local Municipality or any other organ of State.

“Approved Township” means a township declared an approved township in terms of the relevant section of the By-Law.

“Authorised Official” means a designated municipal employee authorised by the Municipal Council to exercise any power, function or duty as contemplated in section 35(2) of the Act and as defined in Regulation 1 of the regulation to the Act.

“Awning” means a cantilevered or suspended roof, slab or covering (not being the floor or balcony) projecting from the wall of a building.

“Area of the Scheme” means the area described in Clause 14 of this Scheme.

“Balcony” means a floor projecting outside a building at a level higher than that of the ground floor, enclosed only by low walls or railings, or by main containing walls of rooms abutting such projecting floor, and includes a roof, if any over such floor and pillars supporting such roof.

“Base Zone” means the zone which determines the lawful land use and development parameters for a land unit in terms of this Land Use Scheme, before the application of any overlay zone.

“Basement” means any storey of a building which is below the level of the ground storey of the building.

“Biosphere” means an area of terrestrial ecosystem, which is internationally recognized within the framework of UNESCO’s Programme on Man and the Biosphere.

“Borehole” means a narrow shaft drilled/bored in the ground either vertically or horizontally. A borehole may be drilled for many different purposes, including the extraction of water, other liquids (such as petroleum) or gases.

“Boundary” in relation to a land unit means one or more of the cadastral lines separating such land unit from another land unit or from a road reserve.

“Boundary Wall” means any wall, fence or enclosing structure erected on or next to a cadastral property boundary, and any other structure, including security devices, such as spikes, barbed wire, razor wire or electric fences, affixed to or on top of a boundary wall:

- (a) Solid boundary walls may not be any higher than 1.8m on street boundaries, and no higher than 2.1m on lateral boundaries.
- (b) Palisade-type fences may not be higher than 2.1m on either street or lateral boundaries.
- (c) Fences may not be higher than 2.1m on street boundaries.

“Building” means any construction or structure which, when completed, will be covered with a durable and waterproof roof.

"Building Line" means an imaginary line on a land unit, which defines a distance from a specified cadastral boundary, within which the erection of buildings or structures are completely or partially prohibited.

"Building Restriction Area" means an area wherein no building, permanent structure or swimming pool may be erected or constructed.

"By-Law" refers to the Thulamela By-Law on Spatial Planning and Land Use Management, 2016.

"Cadastral Line" means a line representing the official boundary of a land unit as recorded on a diagram or general plan approved by the Surveyor General and registered in the Deeds Offices.

"Canopy" means a cantilevered or suspended roof, slab or covering projecting from the wall of a building, excluding the floor of a balcony.

"Carport" means a structure for the storage of one or more vehicles that is covered by a roof, provided that not more than two sides may be permanently enclosed and does not include a motor repair garage or service station.

"Commencement Date" or **"Fixed Date"** means the date on which the Thulamela Land Use Scheme comes into operation.

"Communal Land" means land under the jurisdiction of a Traditional Council/Authority determined in terms of Chapter 2 of the Limpopo Traditional Leadership and Institutions, 2005 (Act No. 6 of 2005) and which was at any time vested in:

- (a) The Government of South African Development Trust established by Section 4 of the Development Trust and Land Act, 1936 (Act No. 18 of 1936); or
- (b) The Government of any area for which a legislative assembly was established in terms of the Self Governing Territories Constitution Amendment Act, 1993 (Act No. 152 of 1993).

"Communal Property Association" means an association which is registered or qualifies for registration in terms of Section 8 of the Communal Property Registration Act, 1996 (Act No. 28 of 1996).

"Controlling Authority" means the Controlling Authority as defined in Section 1 of the Advertising on Roads and Ribbon Development Act, 1940 (Act No. 21 of 1940) or the Commission as defined in the South African National Roads Agency Limited and National Roads Act, 1998 (Act No. 7 of 1998).

"Consent" means Special permission granted by the Thulamela Local Municipality Council, after due consideration of all relevant facts and lawful, reasonable and procedurally fair administrative action, in terms of which a specific type of land use or activity is permitted, in addition to the primary use right applicable to the land unit concerned.

"Consolidation" means the joining of two or more land parcels into a single entity.

"Constitution" means the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996).

"Council" refers to the Thulamela Local Municipality as a Municipal Council established in terms of Section 12 of the Municipal Structures Act, 1998 (Act No. 117 of 1998) and includes any municipal standing committee or municipal official with delegated powers in terms of the area of jurisdiction of these town planning conditions apply.

"Coverage" means the total area of a land unit that may be covered by buildings, expressed as a percentage of the net erf area of the land unit, including any servitude area covered by the roofed area of all buildings as seen vertically from above, but does not include a structure or building that has no roof and further includes:

- (a) Walls and buildings;
- (b) Solid roofs;
- (c) Stairs, steps, landings, except entrance landings and steps, galleries, passages and similar features, whether internal or external; and
- (d) Canopies, verandas, porches, balconies, terraces and similar features provided that the following portions of buildings must be disregarded in the calculation of Coverage, namely:
 - i. Stoep, entrance steps and landings;
 - ii. Cornices, chimney breasts, pergolas, flower boxes, water pipes, drain pipes and minor decorative features not projecting more than 500 millimetres from the wall of the building;
 - iii. Eaves not projecting more than 1,0 metres from the wall of the building; and
 - iv. A basement, provided that the basement ceiling does not project above the ground level.

"Critical Biodiversity Area" refers to an area outside the Protected Areas network and must be maintained in a good ecological condition (natural or near-natural state) in order to meet biodiversity targets. Critical Biodiversity Areas collectively meet biodiversity targets for all ecosystem types as well as for species and ecological processes that depend on natural or near-natural habitat that have not already been met in the Protected Area network.

"Cul-de-sac" means a dead-end street with only one inlet and outlet, commonly used to calm vehicle traffic.

"Diagram" means a diagram as defined in the Land Survey Act, 1997 (Act No. 8 of 1997).

"Deed of Grant" means a deed in respect of an ownership unit issued or deemed to have been issued in terms of the Venda Land Affairs Proclamation, 1990 (Proclamation No. 45 of 1990).

"Deeds Registry" means a deeds registry as defined in Section 102 of the Deeds Registries Act, 1937 (Act No. 47 of 1937).

"Density" means a measurement of the intensity of a residential development, expressed as a number of dwelling units per hectare, or a dwelling unit per erf extent.

"Departure" refers to a municipal planning application that allows a property owner to legally deviate from the development rules or permitted land uses defined in the LUMS. Two categories of departure exist, namely "permanent departure" and "temporary departure". Provision is made in this Scheme

for departures/deviations by way of a “Special/Written/Temporary Consent” application as set out in sections 40 and 41 of the Scheme.

“Development Charge” means a once-off amount which has to be paid by a developer to cover the cost that the Municipality incurred or has to incur to upgrade existing service infrastructure and/or to provide new infrastructure in order to create the necessary capacity and standard of service required to accommodate a development. A development charge is levied in terms of the applicable ByLaw.

“Ecological Support Area” refers to an area that must be maintained in at least a fair ecological condition (semi-natural/moderately modified state) in order to support the ecological functioning of a Critical Biodiversity Area or Protected Area, or to generate or deliver ecosystem services, or to meet remaining biodiversity targets for ecosystem types or species when it is not possible or necessary to meet them in natural or near-natural areas. Ecological Support Areas must retain ecological processes, which often require at least semi-natural ecological condition.

“Engineering Services” means services installed in the process of development of land for the reticulation of water, electricity and sewerage and the building of streets, roads and storm water drainage systems, including all related services and equipment.

“Environmental Impact Assessment” refers to a process of examining the environmental effects of development in terms of the requirements of the National Environmental Management Act, 1998 (Act No. 107 of 1998).

“Erection of a Building” means construction of a building and includes the structural alteration of, or making of any addition to a building, other than a structure or alteration which is the opinion of the Local Authority, is of a limited extent such as inter alia, the removal of non-weight bearing internal walls, the erection or removal of partitions, safes and toilets inside an existing building, or repair work inside or outside a building.

“Erf” means any portion of land registered in the Deeds Office as part of an approved township or land indicated as such on the General Plan of an approved township.

“Existing Use” means a use carried out or in an operation on an erf or site that was permitted in terms of the previous Town Planning or Land Use Scheme or other legislation regulating use of land and buildings, but which is contrary to this Land Use Scheme; it shall remain an existing use right, subject to the transitional provisions as contained in the By-Law.

“Family” means one person maintaining an independent household; or two or more persons related by blood, marriage or civil union maintaining a common household; or not more than four unrelated persons without dependants maintaining a common household; but does not exclude up to six foster children, or dependants under legal guardianship as part of a household.

“Farm” means a portion of land identified and described as such on a diagram in terms of the Land Survey Act, 1997 (Act No. 8 of 1997), and includes a portion of a farm similarly identified.

“Fence” means an artificially constructed linear barrier of wood, masonry, wire, metal or any other manufactured or natural material or combination of materials erected for the enclosure of properties or areas or erected to act as a barrier.

“File” means the lodgement of a document with the appeal authority of the Municipality.

“Floodlines” means an indicative line indicating the maximum level likely to be reached by flood waters on average once in every 100 years [paraphrased from Section 144 of the National Water Act, 1998 (Act No. 36 of 1998)].

“Floor Area” means the total leasable area of all floors/storeys of a building (including a basement storey), measured over the external walls of each floor/storey in the building, provided that in the calculation of the floor area the following areas shall not be included:

- (a) Unroofed structures, open roofs and areas occupied by fire-escapes or staircases, whether inside or outside the building;
- (b) Entrance halls, communal corridors (not occupied by kiosks and seating for places of refreshment) and staircases not enclosed by external walls – therefore excluding closed entrance halls and foyers;
- (c) Areas used to accommodate lift motors, and other mechanical or electrical equipment necessary for the utilization of the building;
- (d) Chimneys, ornamental features, outdoor or uncovered swimming pools, canopies covered by shade nets;
- (e) Public toilets;
- (f) Housing for servants on the roof of the building, provided that the floor area thus excluded shall not exceed 3 % of the permissible floor area of such building; All balconies or verandas in a building, provided that such veranda or balcony shall not be enclosed except by means of a parapet at most (1) one meter high; and
- (g) Areas reasonably used for the cleaning, maintenance and care of the building or buildings, excluding dwelling units for supervisors, cleaners and caretakers and parking for the use of the building.

“Floor Area Ratio” or “F.A.R” means the ratio obtained by dividing the floor area of a building(s) by the total area of the property on which the building(s) is erected.

“Formal Rural Settlement” refers to planned and organized human habitation in a predominantly agricultural or rural area. It is typically characterized by a defined layout with designated plots of land and infrastructure such as roads, houses, and public facilities. These settlements often have a centralized authority or governing body that manages land allotments, zoning regulations, and other administrative matters.

“General Plan” means a plan, representing the relative positions and dimensions of two or more pieces of land, has been signed by a person recognised under any law then in force as a land surveyor, or which has been approved or certified as a general plan by a Surveyor General and includes a general plan or a copy thereof prepared in a Surveyor General’s office and approved or certified as such.

“Gross Floor Area” means the sum of the total area covered by a building at the floor level of each storey: Provided that in calculating the floor area, the floor area for parking and vehicle maneuvering area be excluded.

“Gross Leasable Floor Area” refers to the floor area designed for occupation and control by a lessee, or which is suitable for such purposes, measured from the centre line of joint partitions and/or the outer surfaces of the external walls, but shall exclude toilets, lift shafts, service ducts, loading bays and interior parking.

“Ground Floor” means the storey on which there is an entrance or entrances to the building from the lowest natural ground level as determined by the approved building plan.

“Habitable Room” refers to a room designed or used for human habitation but excludes a storeroom.

“Height” referring to a building means a vertical dimension of a specified level to another specified level, as set out in the development rules of a zone, measured in metres; provided that chimneys, flues, masts, antennas, satellite dishes not exceeding 1,5 m in diameter and external geysers with associated equipment not protruding more than 1,5 m above the summit of the roof shall not be counted for the purpose of height control.

“High Biodiversity Area” means areas which have been identified by the Limpopo Conservation Plan as Critical Biodiversity Areas or Ecological Support Areas.

“Household” means a group of persons regarded as a domestic unit in terms of legislation, common law or customary law.

“Informal Rural Settlement” means settlements, often referred to as squatter settlements or shanty towns, refer to settlements that have emerged spontaneously without proper planning or government authorization in rural areas. These settlements often arise as a result of rural-urban migration or population growth surpassing the availability of formal housing and infrastructure.

“Interested of Affected Party” means any person or group of persons, legal entity or body that can demonstrate their interest in the land development application in terms of section 45(3) of the Act and with specific reference to town planning principles or development principles. An Interested Party further refers to any person or body who, in accordance with the provisions of this Land Use Scheme, and within any time period prescribed, has submitted, in writing, any objection, comment or representation in respect of any matter in the Land Use Scheme providing for objections, comments or representations.

“Illegal Structure” means any structure or building of temporary or permanent nature that is built contrary to the approved plans on file at the Municipality, or a building that is built in contravention of any zoning, town planning, or title deed condition or restriction; or any structure of a temporary nature in contrary with the provisions of the Act on National Building Regulations and Building Standards, 1977 (Act No. 103 of 1977) and any amendments thereof.

“Illegal Township” means any Land held under farm title or as an agricultural holding in terms of the Agricultural Holdings (Transvaal) Registration Amendment Act, 1929 (Act 19 of 1929), or other forms of ownership, used in the opinion of the Municipality for purposes contemplated in the definition of a township where such use is not being exercised as a result of the establishment of a township contemplated in terms of the Bylaw or a township established in terms of any other law, but excludes informal areas as may be determined by the Municipality.

“Informal Business” means conducting of a business which, with the consent of the Local Authority after consultation with the adjacent owners, is conveyed from place to place, whether by vehicle or otherwise, in a street or at other place accessible to the public, at any open property or in, on or from any vehicle or moveable structure, subject to such requirement laid down by the Municipality.

“Inspector” means a person designated or appointed as an inspector under Section 32 of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013).

“Integrated Development Plan” means a participatory planning process aimed at developing a strategic development plan to guide and inform all planning, budgeting, management and decision making in a Municipality, in terms of the requirements of Chapter 5 of the Municipal Systems Act, 2000 (Act No.32 of 2000).

“Kitchen” means a room or any portion of a room or outside area equipped with cooking and washing facilities, which can be used for the preparation of meals, including a kitchenette, but excluding outside entertainment areas. Cooking facilities include any stove, hotplate, oven, toaster oven or electric griddle, as well as any wiring or piping containing the energy or power source for such facilities. Washing facilities include a sink and any plumbing provided for such facility. A water kettle, coffee percolator, microwave oven and bread toaster are not regarded as cooking facilities.

“Land” refers to:

- (a) Any Erf, Agricultural Holding or Farm portion, or portions thereof, servitudes, lease areas and includes any improvements or building thereon and sectional title units, exclusive use areas and common property registered in terms of the Sectional Titles Act, 1986 (Act No. 95 of 1986); and
- (b) The area of communal land to which a household holds an informal right recognized in terms of the customary law applicable in the area where the land to which such right is held is situated and which right is held with the consent of the registered owner of the land.

“Land Development Area” or **“Land Area”** means an erf or the land which is delineated in an application submitted in terms of the By-Law or any other legislation governing the change in land use.

“Land Development” means the erection of buildings or structures on land, or the change of use of land, including township establishment, the subdivision or consolidation of land, or any deviation from the land use or uses permitted in terms of this Land Use Scheme.

“Land Development Officer” refers to the Authorised Official as defined in Regulation 1 of the SPLUMA Regulations, 2015.

“Land Use” means the nomenclature applied to the use rights listed in this Land Use Scheme, and can be a collective description for one or a number of land use activities and ancillary uses.

“Landscaping” means the placement of plants, contoured features, water features, paving, street furniture and other soft and hard elements for the purposes of enhancing the aesthetic appeal, environmental management, amenity and value of a property or area.

“Land Surveyor Certificate” means a certificate issued by a professional land surveyor as outlined in Schedule 1 of the Land Surveyors Act, 1997 (Act No. 8 of 1997).

“Land Use Management” means establishing or implementing any statutory or non-statutory mechanism in terms of which the use of land is permitted or may be restricted or in any other way regulated.

“Land Use Rights” means the inherent rights to use and develop land delineated by property boundaries. The land use rights determine what is allowed on the property in terms of the type of development, the bulk and intensity thereof and the conditions to which the development or land use are subject. The components of the land use rights are:

- (a) The land use allowed as defined in the land use definitions; and
- (b) The bulk of development allowed, as defined in the density, FAR, coverage, height restrictions, and parking requirements.

“Lawful Non-Conforming Use” means an existing use of property, including buildings or structures thereon and the use thereof, that was lawful before the commencement date of this Land Use Scheme, but which does not conform to the use or development rules stipulated in this zoning Scheme.

“Listed Activities” means a development action that is likely to result in significant environmental impact as defined by the Minister of Environmental Affairs in terms of Section 24 and 24D of the National Environmental Management Act, 1998 (Act No. 107 of 1998), and its amendments.

“Living Room” means a room designed or used for human occupation in accordance with the standards prescribed in the National Building Regulations, but does not include a storeroom, kitchen, scullery, toilet, bathroom or a passage.

“Loading Bay” means an area which is clearly demarcated for the loading and offloading of goods from commercial vehicles and which has vehicular access to a public street to the satisfaction of Council.

“Loft” means an open space between the upper surface of the topmost floor and the ceiling above it, designed for, or used for, human occupation. For purposes of measuring height, a loft shall be counted as a storey.

“Map” means a Scheme Map (also marked as Map 3) as amended from time to time.

“Mezzanine” means an intermediate floor in a building between the ground floor and the first floor, and for the purposes of measuring height, a mezzanine shall be counted as a storey.

“Minor Structural Change” means a small structural changes to an existing building for which a building plan is not a requirement.

“Municipal Area” means the area of jurisdiction of the Thulamela Local Municipality demarcated in terms of the Local Government: Municipal Demarcation Act, 1998 (Act No. 27 of 1998).

“Municipality” means the Thulamela Local Municipality.

“Municipal Planning Tribunal” refers to the Thulamela Municipal Planning Tribunal established in terms of the Thulamela By-Law on Spatial Planning and Land Use Management, 2016.

“Municipal Services” means infrastructure services such as electricity cables and poles, water pipes, sewerage pipes, street furniture, light poles traffic signs etc.

“Municipal Services” means such purposes as the Local Authority is authorised to carry out in terms of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) and Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) or any other applicable law.

“Natural Ground Level” means the existing or mean ground level at any point unless there have been excavations in which case the level shall be determined by the Municipality.

“Objector” means a person who has lodged an objection with the Municipality to a draft municipal Spatial Development Framework, draft Land Use Scheme or any application submitted to the Thulamela Local Municipality.

“Occupant” means any person who physically inhabits a property.

“Orchard” means a group of planted trees or shrubs that are maintained for food production. Orchards comprise fruit or nut producing trees which are generally grown for commercial production.

“Ordinance” means the Town Planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986).

“Outdoor Advertising” means the act or process of notifying, warning, informing, making known or any other act of transferring information in a visible manner and which takes place outdoors. The advertising process must adhere to the provisions of the Local Authority’s Advertising Bylaws, and where necessary the provisions of the Advertising on Roads and Ribbon Development Act (Act No. 21 of 1940).

“Overlay Zone” or “Overlay Zoning” means a category of zoning applicable to a particular area or land unit which:

- (a) Stipulates development rules and/or use rights in addition to the base zone requirements, which may be more or less restrictive; and
- (b) May include provisions and development rules relating to primary uses, additional uses or consent uses, provisions in the base zone, subdivision and sub divisional areas, special planning areas, development incentives, density limitations, urban form, urban renewal, heritage and environmental protection, management of the urban edge, scenic drives or local areas, or any other purpose, as set out in this zoning Scheme or regulations promulgated in terms of the Municipal Systems Act, 2000 (Act No. 32 of 2000).

“Owner” means the person or entity registered in a deeds registry as the owner of land or who is the beneficial owner in law.

“Panhandle” means the access section of a panhandle erf which section must be at least 3m wide, provided that this section is not considered as part of the erf for the purpose of this Scheme, which section:

- (a) Shall provide access from a street to the panhandle portion;
- (b) Shall have a slope that does not exceed 1:8;
- (c) Shall provide access only to the erf of which it forms a part, and/or property in favour of which a servitude of right of way has been registered over the panhandle;
- (d) Shall for the purpose of the application of Scheme parameters relating to area not be considered as a part of the erf; and
- (e) Is prohibited from erection of buildings or structures except screen walls or dense barriers along the boundaries of said panhandle.

"Parapet" means a low projection, wall or moulding which finishes the uppermost edge of a building with a flat low-pitched roof.

"Parking Bay/Space" means an area measuring not less than 5.5 metres x 2.5 metres for perpendicular or angled parking and 6 metres x 2.5 metres for parallel parking, which is clearly identified and demarcated for the parking of one motor vehicle and may be provided in the form of a garage or carport, excluding access or maneuvering space, ramps, columns, or other associated structure but which is accessible for easy and safe vehicle movement.

"Parking Garage" means land used or a building designed or used exclusively for the temporary parking of motor vehicles not being for trade or sale.

"Pit Toilet" means a type of toilet that collects human faeces in a hole in the ground. Urine and faeces enter the pit through a drop hole in the floor, which might be connected to a toilet seat or squatting pan for user comfort.

"Plaza" means an urban open space or square, primarily designed for outdoor use by pedestrians.

"Previous Planning Legislation" means any planning legislation that has been repealed by the Act or Provincial legislation.

"Primary Use" in relation to property means any land use specified in this Land Use Scheme as a primary use, being a use that is permitted within a zoning category without the need to obtain municipal approval.

"Protected Area" means an area of land:

- (a) Declared as a Protected Environment in terms of Section 21(1)(a) of the Limpopo Environmental Management Act, 2003 that will substantially promote the preservation of specific ecological processes, natural systems, natural beauty or species of indigenous wildlife or the preservation of biotic diversity in general with the nature primarily orientated to support sustained economic activities. Such area may comprise private, communal, or state land or any combination thereof which is contractually developed and managed with joint resources for conservation, education, recreation and sustainable resource utilization purposes; or
- (b) Agricultural land, area or zone, protected for purposes of –
 - i. Food production; and
 - ii. Ensuring that high value agricultural land is protected against non-agricultural land uses in order to promote long-term agricultural production and food security, and includes all areas demarcated as such by the Minister of Agriculture, Land Reform and Rural

Development in accordance with relevant legislation and may also include high value agricultural land and medium value agricultural land.

“Province” means the Province of Limpopo referred to in Section 103 of The Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996).

“Regulations” refers to the Spatial Planning and Land Use Management Regulations: Land Use Management and General Matters, 2015.

“Rezoning” or **“Scheme Amendment”** means the changing of zoning in relation to a particular land unit or units or portion of a land unit, in terms of planning law and resulting in the amendment of the Scheme.

“Restrictive Conditions” means a servitude or condition registered against the title deed of immovable property restricting its utilisation, and any other statutory restriction on the planning, development or utilisation of immovable property.

“Road Reserve” means the designated area of land that contains or is able to contain a public street or private road, and associated verge, which land may or may not be defined by cadastral boundary.

“Schedules” means a supplement(s) to the Scheme containing special procedures and/or some areas or properties to which specific rights or provisions are applicable and such schedules may from time be amended by the Municipality. Where any discrepancy exists between the Schedules and the provisions of the Clauses and Tables, the most prohibitive conditions shall prevail.

“Scheme” means the Thulamela Land Use Scheme, 2026.

“Septic Tank” means a sub-terranean sedimentation tank used for wastewater treatment through the process of biological decomposition and drainage. Septic tanks allow a safe disposal of wastewater and hence are widely popular in areas that have a poor drainage system or are off the main sewage network.

“Services Agreement” means a written agreement which is concluded between a developer of land and Council and in terms of which the respective responsibilities of the two parties for the planning, design, provision, installation, financing and maintenance of internal and external engineering services, and the standard of such services, are determined.

“Servitude” means a registered right that grants the use of a portion of land for specified purposes in favour of a specified beneficiary.

“Site” means any portion of land identifiable by means of boundaries or beacons and may include any building on such site.

“Site Development Plan” means a plan that shows the proposed development of a property and any salient natural features thereof in accordance with the guidelines contained in the Scheme. A Site Development Plan may be required prior to the approval of Building Plans.

“Spatial Development Framework” or **“Municipal Spatial Development Framework”** means the integrated spatial development framework that must be included in a Municipality's integrated

plan in terms of Section 26(e) of the Municipal Systems Act, 2000 (Act no. 32 of 2000) and in terms of Sections 20 and 21 of the Spatial Planning and Land Use Management Act, (Act 16 of 2013) and Chapter 2 of the Thulamela By-Law on Spatial Planning and Land Use Management, 2016.

"Storage" means a structure designed and built to store various types of items or materials such as tools, equipment, furniture, vehicles and more.

"Storey" means the space in a building between one floor level and the following floor level or ceiling or roof above.

"Stormwater" means water resulting from natural processes, precipitation and/or the accumulation thereof, and includes groundwater and spring water ordinarily conveyed by the storm water system, but excludes water in a drinking-water or waste-water reticulation system;

"Stormwater System" means constructed and natural facilities, including pipes, culverts and water courses, used or required for the management, collection, conveyance, temporary storage, control, monitoring, treatment, use and disposal of storm water.

"Street" or **"Road"** means the area or portion occupied by any street, road, bridge, subway, avenue, lane, thoroughfare or right of way shown on the General Plan of a township or Agricultural Holding or in respect whereof the public has acquired a right of way by prescription or otherwise [also refer Section 63 of the Local Government Ordinance, 1939 (Ordinance No. 17 of 1939)].

"Street Boundary" means the boundary between a land unit and an abutting public street or private road, provided that the boundary of a pedestrian way or service lane that cannot or will never be used by motor vehicles, shall be deemed to be a common boundary for the purpose of determining building lines, street centreline setback and site access requirements.

"Structure" means a construction, permanent or temporary by nature, of any material or combination of materials with or without a roof.

"Subdivision" or **"Subdivide"** in relation to a land unit, means to subdivide the land unit, whether by means of:

- (a) Survey;
- (b) The allocation, with a view to a separate registration of land units, of undivided portions thereof in any manner; or
- (c) The preparation thereof for such subdivision.

"Temporary Building" or **"Temporary Structure"** means a building designated as such by the owner after consulting with the Municipality and which is used, or will be used, for a specified period of time for a specific purpose but does not include a building shed.

"Temporary Consent" means the temporary consent of the Municipality envisaged in accordance with the provisions of Clause 41 of the Scheme.

"Terrace" means an area to which occupants of a building have access, created on a flat roof over a portion of a storey, resulting from the setting back of part of the building above such a storey.

“Township” means a settlement area which was planned and established in terms of the Venda Affairs Proclamation, 1990 (Proclamation No. 45 of 1990) or the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) for which township a General Plan was approved and a township register opened in the Deeds Registry Office. A township may be categorised as a rural settlement by the Municipality for the purpose of land use control in term of this Scheme.

“Township Register” means an approved subdivision register for a township in terms of Section 102 of the Deeds Registries Act, 1937 (Act No. 47 of 1937).

“Traditional Communities” means communities recognised in terms of Chapter 2 of the Limpopo Traditional Leadership and Institutions Act, 2005 (Act No. 6 of 2005).

“Traffic Impact Assessment” means a study of demand for travel generated by a proposed development in relation to the existing and planned road system, provided that such a study must be conducted by a competent, registered civil or traffic engineer.

“Urban Edge” means a demarcated line which is designated as an urban edge in terms of an approved policy by the Thulamela Local Municipality which may follow cadastral boundaries or not.

“Verandah” means a covered area (not being an area which is part of a yard or parking area) or projecting floor outside and immediately adjoining a building at or below the level of the ground floor thereof, and includes both the covered area or floor and the roof or other feature covering it, as well as any low walls or railings enclosing the covered area or floor.

“Watercourse” means a river, stream, channel or canal in which water flows regularly or intermittently; and/or a marsh, wetland, dam or lake into which, or from which, water flows; and includes the bed and banks of a watercourse.

“Written Consent” refers to the consent granted by the Thulamela Local Municipality in terms of Clause 40 of the Scheme.

“Zone” refers to the part of the zoning Scheme which has been shown on the zoning map by means of a specific notation or bordering or any other distinguishing manner, in order to identify the permitted use and development rules of property.

“Zoning Certificate” means an official document issued by a Local Authority that confirms that a specific property is compliant with the zoning regulations and restrictions set in place for that area. It provides information about the permitted uses, building requirements, setbacks, height restrictions, and other zoning-related information for the property.

18. Land Use Definitions

- 18.1** In this Scheme, unless the context otherwise indicated, or it is otherwise expressly provided, any word shall, when used in the context of the Scheme, have the meaning assigned to it hereunder.
- 18.2** Should a dispute arise with regards to the meaning of a land use definition, the interpretation of the Municipality shall be correct and final, after which the necessary amendment shall forthwith be brought into the definitions by the Municipality to prevent any further dispute.

“Abattoir” means a place where livestock or poultry is slaughtered, refrigerated, inspected and prepared for distribution to retail outlets.

“Adult Entertainment Business” means an establishment or any part thereof, where for any form of consideration, live performances, films, slides or similar electronic reproductions, photographs, books, magazines, equipment or toys are hired, sold or occur which are characterised by an emphasis on human nudity, partial nudity, pornographic or erotic sexual activities. Adult entertainment business includes a massage parlour, brothel or escort agency, where the massage or manipulation of the human body is administered with the purpose of obtaining an erotic response, unless such manipulation is administered by a registered medical practitioner or similar professional person. Adult entertainment business furthermore includes any forms of administration, liaison, or services relating to the sale, renting, hiring, booking or reservation of any goods or services related to the adult entertainment business.

“Agriculture” means the cultivation of land for crops and plants, the keeping and breeding of animals or 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 plant nursery, and includes intensive horticulture and intensive animal farming but excludes a farm shop, harvesting of natural resources, and an 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 plants produced on a property;

“Agricultural Buildings” means a building designed for use in connection with, and which is ordinarily incidental to, or reasonably necessary in connection with, the agricultural use of the land on which the building is situated, and includes warehousing, packaging of produce, workshops, drying facilities, but not an agricultural industry or farm stall.

“Agricultural Industry” means land used for large scale rearing of poultry, livestock or similar animals, such as broiler farms, battery farms and other concentrated animal feeding operations, aquaculture, large scale servicing or repair of plant or equipment used in agriculture, handling, sorting, treatment, processing or packaging of agricultural products, which may include a sawmill, winery,

distillery and brewery, abattoir and agri-processing, including processing of animal matter, but excluding noxious industries.

"Agricultural use" means land used or building designed or used for the purposes such as, but not limited to, ploughing, depasturing, horticulture, poultry farming, dairy farming, breeding and keeping of livestock, apiaries, forestry, mushroom and vegetable production, flower production, orchards, and any other activity commonly connected with farming or associated therewith, and include the sale of own produced goods. It includes only one main dwelling unit for the farm manager, and associated farm settlement.

"Agri-village" means 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 dependents), employed on 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.

"Agri-Park" means a networked system of agro-production, processing, logistics, marketing, training and extension services. As a network it enables a market-driven combination and integration of various agricultural activities and rural transformation services.

"Airfield" means land and buildings thereon used for the landing, take-off, parking, fuelling, and maintenance of aircrafts, limited to aircraft used for domestic flights, pleasure flights or training, crop spraying, firefighting or emergency rescue services and uses related and subservient to the main use. An air-force base is included in this definition. An airfield also includes a helipad and heliport.

"Airport" means land and buildings thereon used for the landing, take-off, parking and maintenance of aircraft, including uses related and subservient to the main use, including air traffic control, passenger halls, offices, restaurants, shops, freight storage facilities, loading and off-loading facilities, customs offices, conference facilities and hotel, car hire services or agencies, as well as other uses aimed at the convenience of passengers.

"Animal Care Centre" means a building used for nursing or caring for animals, including ancillary but subservient consulting rooms and offices.

"Animal Refuge" means property used for the temporary boarding, treatment, care, breeding, rehabilitation or training of domestic animals and pets, but does not include a veterinary clinic.

"Art Centre" means a facility or building that is dedicated to the promotion and display of art. It may house galleries, studios, exhibition spaces, and other facilities that showcase the work of artists, designers, and other creative professionals. An art centre may also offer classes, workshops, lectures, and other events related to art and design.

"Auction Centre" means the property/ building offering for sale of new and used goods by means of a request or invitation for bids, including the storage of goods to be auctioned, but does not include retail sales nor the sale of poultry or livestock.

"Automated Teller Machine (ATM)" is an electronic machine used for financial transactions. It is an automated banking platform that does not require any banking representative/teller or a human cashier.

“Back-packer Inn” means a dwelling house, second dwelling unit or both, in which the occupant of the dwelling supplies communal lodging for compensation to transient guests, limited to a maximum of 2 rooms. Lodging may include the serving of meals to guests, but does not include self-catering facilities, with the exception of communal cooking facilities.

“Bakery” means a building designed or used for large-scale preparation and baking of bread, cakes, pastries and other flour-based products for distribution to wholesalers and/or retailers, as well as such retail as may be approved by the Municipality.

“Bar” means premises used primarily for sale or dispensing of alcoholic beverages for on-site consumption, and where food may be available for consumption on the premises ancillary to the main use.

“Beauty Parlour” means a place that provides various beauty and personal grooming services, such as haircuts, hair styling, hair colouring, manicures, pedicures, facials, waxing and makeup application. They may be standalone establishments or part of a larger beauty and wellness facility.

“Bed and Breakfast” means a dwelling unit or additional house which the occupant of the dwelling supplies lodging and meals for compensation to transient guests provided that:

- (a) The dominant use of the dwelling unit concerned shall remain the living accommodation of one family;
- (b) The use shall not impair the amenity of the adjoining properties and the neighbourhood;
- (c) The land complies with the requirements contained in the Scheme for a Bed and Breakfast establishment;
- (d) It shall not offer more than (5) five guest room for the temporary accommodation of a maximum of (10) transient guests;
- (e) Only one kitchen per establishment is allowed and a bathroom for each guest room may be provided.

“Boarding House” means land and buildings consisting of habitable rooms with or without a kitchenette and/or ablutions, which are let or rented to persons, and where one or more meals may be provided in a communal dining-room and a communal kitchen, and may include a caretaker’s flat on the property and other communal and ancillary and subservient facilities for the residents only.

“Bookshop” means a retail store that sells books, magazines, newspapers and other reading materials. It includes different types of literature, such as children’s books, bestsellers, or rare books. Bookshops may also sell related items such as stationery, bookmarks, and book-related merchandise. Some bookshops may have a café or seating area for customers to read or socialize.

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

“Bottle Store” means land used, or a building designed or used, for the purpose of carrying on retail trade in liquor products as defined in terms of the Liquor Act, 1989 (Act No. 27 of 1989) provincial legislation.

"Boutique Hotel" means a building designed for hotel purposes developed on a property not smaller than 5000m² which may have a maximum number of 21 (twenty one) en-suite bedrooms. A Boutique Hotel must have a 5 (five) star grading from the South African Tourism Grading Council and must also include the following ancillary uses; a boardroom (not exceeding seating for 45 (forty-five) persons and a Spa/wellness facility not exceeding 2 (two) rooms to which the general public may not have access.

"Braai Room" Means a room which is part of a dwelling unit or outbuildings or other structure and is used primarily for private entertainment purposes and where food and drinks may be prepared in the traditional South African way and may include kitchenette, but excludes a kitchen or Shishanyama.

"Brickyard" means a property used for the manufacturing, storage and sale of bricks to the general public, provided that raw material used for the manufacturing of bricks is not exploited or mined on the property without the necessary mining and environmental permits.

"Builder's Yard/Shed" means land or buildings used for the storage of materials:

- (a) Required for, or normally used in building operations; or
- (b) Derived from demolition or excavation operations; or
- (c) Required or normally used for improvements to land, such as material for the construction of streets, the installation of essential services, or for any other building works, whether used for public or private purposes.

"Bulk Retail Trade" means the wholesale or retail sale of goods in large volumes from within an enclosed building where the size and nature of the primary goods being sold typically require large floor areas for direct display to the purchaser or consumers. Bulk retail includes a storage yard and in-house repair or adjustment facilities for products purchased from the bulk retailer.

"Bus Bay" means a designated spot on the side of a road where buses may exit the flow of traffic to pick up and drop off passengers.

"Bus Station" or **"Bus Terminus"** means a designated place where a bus starts or ends its scheduled route, or where buses that travel long distances stop to let passengers embark/disembark.

"Butchery" is a building or shop where raw or pre-cooked meat is packaged and offered for sale to the general public. A "Butchery" is subject to the regulations under the Meat Safety Act, 2000 (Act No. 40 of 2000) and Regulation R638 of the Foodstuffs, Cosmetics and Disinfectants Act, 2018 (Act No. 54 of 1972).

"Camping Site" means a property or part thereof on which tents, caravans or mobile dwelling units are utilised by visitors and transient guests for temporary accommodation purposes and includes communal ablutions, cooking, braai, laundry and recreational facilities, administration offices, retail of convenience goods, and a restaurant for the sole use of guests, residents and visitors.

"Canteen" means a building or part thereof and/or premises used for the preparation and serving of food and related products and consumables, to the staff of a business only, but can also mean a store that sells food and drink at an institution like a camp, college or military base.

"Caravan Park" means land and buildings used by transient guests for the overnight accommodation of caravans, motor homes, and tents, and may include ablution facilities, caretaker's flat, communal kitchen and ancillary and subservient shops and other related buildings.

"Carwash" means an establishment where motor vehicles, excluding construction, service or large passenger vehicles such as buses, are washed, polished and cleaned by means of mechanical apparatus or by hand.

"Cash crops" are agricultural products grown specifically for sale to generate profit rather than for personal consumption or subsistence.

"Cemetery" means a place where the deceased are buried and may include buildings that are necessary for the administrative and clerical uses associated therewith, including a chapel or a similar use for the conducting of funeral services and may include a remembrance wall, but excluding a crematorium.

"Clinic" means a hospital for day patients where there is no overnight accommodation. Clinics can be privately operated or publicly managed and funded.

"Coal Yard" means land and buildings used for the storage and retail sale of coal or charcoal to the public.

"Commonage" means land under the control of the Local Authority which may be land used for small-scale, subsistence farming activities to cultivate fresh produce or to raise small number of livestock or poultry for own consumption or resale.

Commonage has a social and economic upliftment quality and will mostly, but not exclusively, represents communal agricultural land shared between various households or a community. Commonage does not provide for residential purposes but may include facilities for the informal trade of the produce produced on the land.

"Commercial Use" means uses such as distribution centres, wholesale trade, storage, warehouses, cartage and transport services, laboratories and computer centres and may include offices that are subordinate and complementary to the commercial use of the land.

"Commune" means a dwelling unit where not more than six unrelated persons live together and share communal facilities, such as a kitchen, lounge, bathroom, etc., but does not include a household enterprise. The use is further subject to the policy of the Municipality as amended from time to time.

"Community Facility" means land or buildings normally or otherwise reasonably associated with the use of land 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 profit-seeking, and excludes a Place of Entertainment.

"Confectionery" means a building designed or used for the preparation and baking of bread, cakes, pastries and other baked products for retail sale to the public.

"Conference Centre" means a place of assembly used for the conducting of conferences, seminars, gatherings, indoor recreation, exhibitions and such other uses which are ancillary to, or reasonably necessary for, the use of the building as a conference centre, including the supply of meals and

alcoholic beverages to delegates only. A conference centre may include administrative offices directly subservient to the main concern.

"Conservancy" means informally protected land in its natural state with the objective of preserving the biophysical characteristics of that land, including flora and fauna prevalent on the land.

"Conservation Area" means an area of land possessing some outstanding or representative ecosystems, geological or physiological features and/or species where wildlife is left undisturbed by man.

"Conservation Purposes" Purposes normally or otherwise reasonably associated with the use of land for the preservation or protection of the natural or build environment, including the preservation or protection of the physical, ecological, cultural or historical characteristics of land against undesirable change or human activity;

"Craft Production" is a commercial use that involves on-site production and assembly of goods primarily involving the use of hand tools and/or small-scale equipment. Due to the limited scale of the activities and small boutique nature of craft production establishments, the craft production of alcoholic beverages is limited to no more than 20 000 litres of product per year. The following regulations also apply: Retail sale and onsite tasting of beverages and/or the ability for producers to act as wholesaler of its own production for off-site consumption are subject to the appropriate licenses.

"Crèche" means any building or premises maintained or used for the custody and care of more than 10 children of pre-school going age and which has been registered as a place of care under the Children's Amendment Act, 2007, (Act No. 41 of 2007).

"Crematorium" means 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. This definition is subject to the provisions of the Crematorium Act, 1965 (Act No. 18 of 1965).

"Cultural Heritage Site" means land identified as a protected area in terms of the National Heritage Resources Act, 1999 (Act No. 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 lore is 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" means the use of a portion of a dwelling house, second dwelling unit, residential building or outbuilding, by an occupant, to provide day care, preschool, playgroup or after school services for a limited number of children, but excludes a crèche/nursery school.

"Depot" means a place for the storage of large quantities of items for distribution and/or future use. It also means a place where buses, trains or other vehicles are housed and maintained, and from where they are dispatched for services.

"Disabled Parking" means a specially designated, wider than standard, parking bay which is required for any development which provides more than 50 standard parking bays as per the National Building Regulation SANS 10400-S: Facilities for persons with disabilities. A Disabled Parking Bay is guided by the following parameters:

- (a) The parking bay should measure no less than 3.5m in width;
- (b) The parking bay must be located within 50m of an accessible entrance;
- (c) The parking bay must be marked with the international symbol of access; and
- (d) The parking bay is intended exclusively for vehicles displaying a valid, Municipality-issued disabled parking permit.

"Dispensing Chemist" means an enterprise supplying only medicine as defined in the Medicine and Related Substances Control Act, 1995 (Act No. 101 of 1995), as amended, as prescribed by a registered medical practitioner only.

"Drive-through Restaurant" means a building used for the preparation of light meals or fast foods for take away purposes, including a roadhouse and drive-through facility for express collection of meals served directly to an occupant of a motor vehicle.

"Driving School" means a building or land used for the provision of driving tuition or driving lessons in a formal program which aims to prepare a new driver to obtain a learner's permit or driver's licence.

"Drop-in Centre" means a community-based facility providing basic services aimed at meeting the emotional, physical and social development needs of vulnerable children.

"Drop-off Zone" Means land where provision is made for one or more parking spaces or bays for quick on and off-loading of passengers from a motor vehicle and for such manoeuvring and movement space as may be required by the Municipality to secure orderly traffic flow within such area as well as efficient connection with the flow of traffic in the adjoining street system. The drop-off zone may form integral part of a parking lot, parking garage or may also be provided separately.

"Dry Cleaner" means an industrial laundry cleaning service, making use of specialised industrial dry cleaning and steam-cleaning equipment, including certain noxious chemicals and processes deemed a nuisance or threat to the public.

"Duet Dwelling" means two individual dwelling units attached to each other by a common wall (260mm firewall). Each dwelling unit will be located on its own erf and has accessibility to a public street by means of either separate entrances or right of way servitude. The density of duet dwellings will be in accordance with the residential density policy of the Municipality.

"Duplex dwelling" means a building consisting of two or more dwelling units each two storeys in height with an internal staircase.

"Dwelling House" means a single, freestanding dwelling unit on a property and can include a second dwelling unit.

"Dwelling Unit" means a self-contained, inter-leading group of habitable rooms consisting of bathroom(s), toilet(s) and not more than one kitchen, used permanently or semi-permanently for the living accommodation and housing of a single family, together with such outbuildings, including servant's quarters and a garage for vehicular parking, as are ordinarily used therewith. A building may

contain several dwelling units with a maximum of 3 bedrooms per unit where so provided for by the approved density of the property. Group housing, town houses, duplexes, simplexes, low-rise apartments, high-rise apartments, flats, semi-detached housing, apartment housing, and garage suites are all classified as dwelling units.

"Entertainment Centre" refers to as an area that is specifically designed and developed for entertainment purposes. It typically includes attractions, venues, and facilities that offer various forms of entertainment, such as amusement parks, theme parks, water parks, movie theatres, concert venues, sports stadiums, casinos and shopping centres. These entertainment sites are often extensive and encompass a wide range of entertainment options, ensuring that visitors have multiple choices and opportunities for entertainment.

"Environmental Facilities" means facilities for the management, study, interpretation, education, and public appreciation of a cultural-heritage features, and/or predominantly natural area.

"Equestrian Estate" means a development that has an equestrian centre and includes residential units.

"Factory Shop" means a retail operation ancillary to an industry or warehousing and packaging where only goods that are partially or entirely manufactured, processed or assembled in the industry or stored and packaged in the warehouse, are sold.

"Farm Stall" means a building used for retailing of fresh farm produce originating on site, including homemade items.

"Filling Station" means 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.

"Flat" means dwelling units that form part of a building with two or more floors with a communal entrance.

"Forestry Industry" means the manufacturing of wood and products of wood, including saw milling and planing of wood, preserving timber, other mill products, including wattle bark grinding and compressing, veneer sheets, plywood, laminated board, particle board and other panels and boards, builders' carpentry and joinery straw and plaiting materials, wooden containers, coffins, and other articles of wood, cork, straw and plaiting materials, including woodcarving and woodturning.

"Fuelling Facility" means a private facility, not available to the public, for the storage and dispensing of fuel to vehicles.

"Funeral Parlour" means a building used or designed for use as a mourning or funeral chapel and includes such other buildings designed for use in connection therewith and which is normally ancillary to or reasonably necessary for, the business of a funeral undertaker, but shall exclude a crematorium. It also 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: Provided that the establishment and operation of a funeral parlour shall be subject to the provisions of the Regulations relating to Funeral Undertaker's Premises promulgated in the

Government Gazette by virtue of Notice No. R237 on 08 February 1985 in terms of Section 33 and 39 of the Health Act, 1977 (Act No. 63 of 1977).

"Gaming Establishment" means a use providing facilities and/or equipment for patrons to participate in paid-for gaming and gambling opportunities, with the possibility of gaining financial benefit from such activities and may include offices related to the main use and financial facilities or services. Any establishment with three (3) or more gambling slot machines is regarded as a gaming establishment.

"Game Lodge" means a Game / Nature / Wilderness Lodge (including Private Nature Reserves) which is a formal accommodation facility providing ancillary services, located in natural surroundings and located in a natural setting usually, but not always, away from human settlements. Game lodge may include self-catering units.

"Game Reserve" means land or place reserved for wildlife; exclusive occupation and use.

"Gas Depot" or **"Gas Station"** means a facility where liquid petroleum gas is stored and from which premises said gas is distributed.

"General Dealer" means a retail store that offers a wide range of products for sale, typically including food items, household goods, clothing and other miscellaneous items. It is designed to provide customers with a convenient one-stop-shop where they can purchase everyday essentials and small luxuries but excludes a hardware store.

"Golf Estate" means a developed residential estate around a golf course that has a golf course as primary attraction.

"Government Use" means land or buildings thereon used for government purposes in the interest of the general public, government offices including military establishments, police stations, magistrate's courts and prisons, including the related administrative or office functions. In the event that the land is utilised for private use, the prerequisite zoning must be acquired.

"Greenhouse" means a structure with the sides primarily made of a transparent material for the purpose of growing of plants or hastening growth of plants under controlled environmental conditions.

"Grinding Mill" means any of various machines for grinding of grain, maize meal or sugarcane or for dressing by grinding (metal parts) and can also be regarded as a factory, especially one that is equipped for grinding.

"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, simplex, duplex, duette dwelling, semidetached dwelling and all such development, but excludes uses included in the definition of "Dwelling Unit", "Residential Building" or "Flat".

"Guardhouse" is a building used by guards, which is located in proximity at the entrance to a complex for security purposes and may be erected within the street building restriction lines applicable to the property only with applicable consent of the Local Authority.

"Guesthouse" means buildings with communal dining and kitchen facilities used for temporary paid accommodation including: backpackers, bed and breakfast establishments and other similar facilities, but excludes Hotels, Conference Centres, self-catering units, chalets, student

accommodation and boarding houses. A guesthouse consists of not more than eight (8) guestrooms for a maximum of 16 guests, provided that a maximum of sixteen guestrooms may be provided in areas designated for a density of Medium-High Residential and/or along major roads, which shall be managed by the owner or the manager who shall reside on the same property. A pool, bar, entertainment room and any other ancillary use shall be permitted at a guesthouse but is not open to the general public.

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

"Hangar" means a large building with extensive floor area, typically for housing aircraft or helicopters. Hangars are typically located adjacent to Airports, Airfields, Landing Strips and Heliports

"Hardware Store" refers to a shop or buildings used primarily for the retail sale of building materials, construction supplies, tools, plumbing and electrical equipment, paint, timber, cement, roofing materials, gardening equipment and related hardware products to the general public.

"Harvesting of Natural Resources" means the gathering of fauna and/or flora within a nature reserve or conservancy area for sale or use by a person or agency other than a recognized environmental agency provided that such harvesting:

- (a) Is sustainable;
- (b) Does not deplete the resources below acceptable levels, and
- (c) Is not to the detriment of the eco-system.

"Heavy Vehicle Parking Depot" means a property or building thereon used only for the temporary storage or ad hoc parking of heavy-duty vehicles, long-haul vehicles, trucks, buses 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" means any portion of land, building or structure or part thereof which has been demarcated and approved by the Civil Aviation Authority for the purposes of landing or taking off of helicopters or associated vertical lift-off aircraft.

"Heliport" means 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.

"Heritage Site" means an officially recognized location where pieces of political, military, cultural, or social history have been preserved due to their cultural heritage value. Historic sites are usually protected by law, and many have been recognized with the official national historic site status. A historic site may be any building, landscape, site or structure that is of local, regional, or national significance.

"Home Occupation" or **"Home Enterprise"** means the practice of a profession, business or occupation in, or from, a part of a dwelling unit/house, by the occupant of the dwelling unit/house, provided the dominant use of the dwelling unit/house shall remain residential.

A home occupation shall exclude the following: the practice of any panel beating, spray painting, daycare facility, armed response, joinery, upholstery, workshop activity, refilling or repair of gas cylinders, social congregation of people, any noxious practices or uses, a commune, a guest house, a block of tenements, a boarding house, hostel and hotel with the aim of deriving an income or which will interfere with the ambience of the surrounding properties or be a nuisance by virtue of noise, appearance, odour or activity. A "Home Occupation" is subject to the further regulation as set out in the Scheme.

"Hospital" means land and buildings used for the accommodation and care of sick or injured persons or persons needing specialized medical treatment or operations and may include operating theatres, radiography, laboratories and ancillary and subservient uses such as a cafeteria, dispensing chemist, shop, offices and consulting rooms directly related to the hospital.

"Hotel" means a building that has been registered as a hotel in terms of Section 1 of the Hotels Act, 1965 (Act No. 70 of 1965) designed and used for temporary overnight accommodation for transient guests, where lodging and meals are provided, including ancillary facilities normally directly related to a hotel such as restaurants, cocktail bars, shops, conference facilities, entertainment facilities, gymnasiums, beauty salon, swimming pools and liquor sales outlets, but excluding self-catering accommodation. A hotel may comprise of a single building or multiple structures.

"Industrial Use" means land used for purposes normally or otherwise reasonably associated with:

- (a) Activities where an article is manufactured, produced, built, assembled, disassembled, compiled, printed, ornamented, processed, treated, adapted, repaired, renovated, rebuilt, altered, painted (including spray painting), polished, finished, cleaned, dyed, washed, sorted, packed, chilled, frozen or stored in cold storage;
- (b) The use includes storage, distribution and cartage services;
- (c) The use includes offices and wholesale trade, caretaker's dwelling unit or other uses which are subservient to the use of the property as a factory; and includes a warehouse, the generation of electricity; refuse disposal sites; recycling and abattoir;
- (d) All development on the site shall be in accordance with an approved site development plan; and
- (e) The provisions relating to the use of land or buildings for more than one purpose in this Scheme apply.

"Industry" means the use of land and/or buildings as factory including offices and training that are relevant and secondary thereto, and also retail trade in goods that are wholly or partly produced, processed or assembled on the property, provided such retail trade is complementary and secondary to the industrial use and provided further that a dwelling unit for supervising personnel may also be erected on the premises.

"Informal Trading" means the legal selling of products in areas demarcated by the Municipality specifically for these purposes such as markets and other demarcated areas, ensuring that each informal trader has a valid and applicable trading permit as determined by the applicable Bylaws.

"Information Centre" means a facility or building that provides access to information on a specific topic or area of interest. It may house books, magazines, journals, newspapers, databases, and other

resources related to the topic. In some cases, an information centre may also offer access to experts, workshops, seminars, and other events related to the topic.

“Institution” means a property or building used for the purposes of a social, health or welfare facility, including the administration thereof, and includes, but is not limited to, a clinic, home for the aged, indigent or handicapped, reformatory or place of detention, haven for vagrants and substance abusers, shelter for the homeless, soup kitchen, care centre, rehabilitation centre, charitable institution, nursing institution and sanatorium, whether of a commercial or charitable nature, but does not include a prison.

“Internet Café” means land and buildings or part thereof used for hiring of computers and internet access to customers for use on the premises and may include ancillary and subservient uses.

“Kennels” means land used for the purposes of keeping, breeding, accommodating and lodging any domestic animal.

“Kiosk” means a building designed and used for the preparation and/or retail sale of light snacks and refreshments as well as the retail sale of cold drinks, tobacco, reading material and sweets, provided that the establishment and operation of a kiosk for the sale or supply to customers of any foodstuff in the form of light snacks for consumption on or away from the property (excluding a kiosk exclusively used for employees) shall be subject to a licence in terms of the Business Act, 1991 (Act No. 71 of 1991).

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

“Landing Strip” means a long flat piece of land from which aircraft can take off and land, especially one used only by private or military aircraft. A landing strip surface may be gravel, cement or asphalt based.

“Laundrette” means a coin operated self-service laundry where standard or heavyduty washing machines and tumble dryers are used and may include a clothing folding or ironing service.

“Library” means a place set apart to contain books, periodicals, and other material for reading, viewing, listening, study, or reference, or a room, set of rooms, or building where books may be read or borrowed where a public body organizes and maintains such an establishment.

“Lodge” means a building(s) designed and used for temporary overnight accommodation for transient guests where lodging and meals are provided, and may further include ancillary facilities directly related to the lodge and for the use of guests only, such as a restaurant, cocktail bar, conference facility, entertainment facilities, a gymnasium and beauty salon, but excluding liquor sales outlets. A lodge may provide self-catering facilities and/or units. A lodge shall consist of not more than twenty (20) guestrooms for a maximum of 40 guests, provided that a maximum of twenty four guestrooms may be provided in areas designated for a density of Medium-High Residential and/or along major roads, which shall be managed by the owner or the manager who shall reside on the same property.

“Market” means the selling of products from temporary or permanent structures or facilities in areas specifically demarcated for such purposes by the Municipality or a property owner, such as markets, flea markets, fresh produce markets and hawkers’ stalls.

“Medical Consultation Room” Means land and buildings used for medical and dental practitioners including general practitioners, general surgeons, medical specialists, pathologists, radiologists, dentists, ophthalmologists and similar uses such as special therapists, psychiatrists and may include a dispensing chemist, spa and salon but does not include the uses of a hospital, step-down facility, nursing home, clinic or a sanatorium.

“Medical Suite” means a property or building, not being a hospital or clinic, which is used for human medical or medical related consultation, examination or treatment and dispensary of medicine by a registered medical practitioner but does not include live-in facilities or a pharmacy. A doctor’s consulting rooms, physiotherapists’ rooms, and other similar uses are regarded as a medical suite.

“Mining” means land and buildings, that under the Mineral and Petroleum Resources Development Act, 2002 (Act No. 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 aforementioned Act. Mining also refers to land with ore bodies and/or mineral potential/occurrences with or without mining rights in terms of existing mining and mineral legislation. The minerals are therefore likely to be extracted in future.

“Mobile Clinic” means a Clinic for day patients which travels between the Clinic and areas often out of reach for patients to provide medical assistance and services. There is no overnight accommodation. Mobile Clinics can be privately operated or publicly managed and funded.

“Mobile Dwelling Unit” means a prefabricated combined suite of rooms, which may not include more than one kitchen, designed for occupation and use by a single family as a permanent residence, which is provided with the necessary service connecting points and so manufactured that it can be moved as a unit or units on wheels.

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

“Motor Repair Garage” means a building or land used as a repair shop where motor vehicles are repaired by motor mechanics and technicians.

“Motor dealership” means land and building used for an integrated service which provide a full range of related activities in respect of a specific vehicle range and include a motor workshop, offices, the sale of new spare parts and the sale of new and used vehicles of that specific range only within a motor showroom: provided that a motor showroom shall be in an approved building enclosed on all sides with bricks or glass walls.

“Motor Trade” means land used, with or without ancillary buildings, for the sale or display of roadworthy vehicles, but does not include any form of a workshop.

“Motor Workshop” means land and building used for the following:

- (a) Repair and servicing of vehicles, excluding a body shop or spray painting; and
- (b) Installation of vehicle spare parts and accessories

"Multipurpose Centre" means a one-stop, integrated development centre, where the community's needs for access to information, services, resources and technology from government and non-government sources are addressed.

"National Park" means a natural area of land designated to:

- (a) Protect the ecological integrity of one or more ecosystem for present and future generations;
- (b) Exclude exploitation or occupation inimical to the purposes of the designation of the area; and
- (c) Provide a foundation for spiritual, scientific, educational, recreational and visitation opportunities, all of which must be environmentally and culturally compatible.

"Nature Reserve" means a national park or some other park, which is held in ownership of a public authority or has been declared as such in terms of legislation and remains in private ownership. It consists of an area which is utilised as a game park or reserve for flora and fauna in their natural habitat and may include:

- (a) Buildings that are reasonably connected with the management of a nature reserve, inclusive of facilities for day visitors; and
- (b) May include accommodation and tourist facilities with the Consent of Council.

"Noxious Enterprise Trade" or "Noxious Industry" means an industry or trade which is dangerous or troublesome to the broader public in Council's opinion, or which has a disturbing effect on the environment, whether it is due to odour, smoke, noise, flow-off, dust or solid waste, and excludes panel beating and spray-painting, but includes the following activities:

- (a) Drying or boiling of bones and blood, the sterilizing of animal-hair, the manufacturing of glue or gum, the broiling of fat or melting of fat or talc, or the grinding of any other components of animals;
- (b) Scraping, cleaning or cooking of tripe or intestines;
- (c) Burning of charcoal, coke breeze or lime;
- (d) Salting, braying, tanning or taxidermy of hides and skins;
- (e) Manufacturing of malt;
- (f) Manufacturing of soap and candles;
- (g) Manufacturing of any type of bricks or castings, where sand, stone or cement forms part thereof;
- (h) Manufacturing of yeast;
- (i) Manufacturing of flakes or down; and
- (j) Keeping of pigs, herds of cattle, goats and poultry older than three weeks and as determined by the Municipality, with the provision that the Municipality can give permission to keep poultry.

"Nursery" means land and buildings used for the cultivation of grass, plants or trees for commercial purposes, and may include related and subservient uses such as offices. A nursery may provide for the retail sale of the cultivated products, gardening provisions, garden furniture or garden ornaments as well as a restaurant, which is subservient to the main use, and other ancillary uses.

"Office" means a building or portion thereof used for the execution of administrative functions or the conducting of an enterprise primarily concerned with administrative, clerical, financial or professional duties, such as, but not limited to, a financial institution, bank, insurance agency, real-estate agency, public administration and professional offices.

"Office Park" refers to a piece of land that is specifically designed and developed for office buildings and related facilities. It typically consists of multiple buildings and may include amenities such as parking lots, green spaces and common areas. Office Park land is zoned and structured in a way that allows for efficient and organized office operations.

"Old Age Home" is a place where old people live and are cared for when they are unable to look after themselves.

"On-campus Accommodation" means rooms in a university or college halls of residence occupied by students during term time and visitors during student holidays.

"Open Space" Means land which is predominantly free of buildings or structures and which provides ecological, socio-economic and place-making functions such as natural areas, nature conservation areas, protected areas, nature reserve and includes ridges, watercourses, wetlands, ecological sensitive areas, parks, and squares and may include ablution facilities, pergolas, benches, braai areas and related facilities.

"Outbuilding" means a building other than the main building, which, in the opinion of the Municipality, is ordinarily necessary in connection with the use of the main building. In the case of a dwelling house, it will include a garage(s) and servant's quarters, storerooms, studios, exercise room, hobby rooms, washrooms, and home enterprises but without a kitchen. An outbuilding will be erected simultaneously with, or after, the main building; it shall not exceed 20% of the floor area of the main building.

"Overnight Accommodation" means an enterprise consisting of more than 16 guest rooms for the temporary accommodation of transient guests and which is conducted from a building that has been specifically designed for such purpose and may include a conference room, catering for business meetings or training sessions on the property. The rooms within, or forming part of residential building, may include a kitchen per unit.

"Panel Beater" means the replacement, repair and/or panel beating of the body and spare parts of vehicles and the spray painting thereof.

"Parking Area" Means a property or part of a property, which is used solely for the parking of motor vehicles not being for sale or trade, and excluding areas for parking of busses and trucks

"Petro-port" means a facility with direct access from a freeway or major transport route which provides a range of rest, service and fuelling facilities for light motor vehicles, heavy motor vehicles and buses, including emergency vehicle breakdown services, but does not include a truck-stop or a workshop.

"Place of Entertainment/Amusement" means land that is used or buildings that are designed and used for sport, recreation and/or entertainment with the intention of making a profit, may include the licensed provision of alcoholic beverages and uses such as a theatre, cinema, dance hall, amusement park, sports centre, billiard-room, skating rink, race track, private club, a place of

assembly, machine-games and gambling machines or similar uses and also includes such uses as are ancillary, directly related, and subservient to, the main use. This excludes adult entertainment.

“Place of Education/Instruction” means place for education or training at preschool, school or post-school levels or used as a school, college, technical college, university, lecture hall, research institution, convent, library, computer resource centres, art gallery, museum or other centre of education, including pre-primary school facilities, skills training, arts and crafts classes, driving school facilities and hostels directly related and ancillary to the educational facility. A place of education includes a canteen.

“Place of Public Worship” means a building designed and used for the purposes of a church, synagogue, mosque, temple, chapel or other place for practicing a faith or religion, including any building and a residence associated therewith, but does not include a funeral parlour, cemetery or crematorium. A place of public worship may provide for a wall of remembrance.

“Place of Refreshment” means, inter alia a restaurant, tearoom or coffee house and means a building which is not a hotel, residential club or boarding house, but which is designed and use for the preparation and serving and/or retail sale of meals and refreshments, and may include the retail sale of cold drinks, tobacco, reading material, dainties and sweets.

“Plantation” means an agricultural property on which crops such as coffee, sugar and tobacco are most commonly grown. The term “plantation” is read together with the “Agriculture” definition.

“Poultry Farming” land refers to agricultural land that is specifically used for the purpose of raising poultry, such as chickens, turkeys, ducks, or geese. This land is typically equipped with facilities and infrastructure necessary for poultry farming, such as housing structures, feeding and watering systems, waste management systems, and fencing to contain the birds. Poultry farming land may also include areas for grazing or for growing crops to feed the poultry. The size and layout of the land can vary depending on the scale of the poultry farm and the number of birds being raised.

“Prison” means 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.

“Private Club” means land used or a building designed to be used as a private meeting-place for a group of people with a collective aim. Should liquor be sold or consumed at such premises it must be legalised by means of a liquor license issued in terms of Section 23 of the Liquor Act, 1989 (Act No. 27 of 1989).

“Private Nature Reserve” means an area of land declared as a Private Nature Reserve in terms of Section 21(3)(a) of the Limpopo Environmental Management Act, 2003 (Act No. 7 of 2003) to protect the area for the promotion or preservation of specific ecological processes, natural systems, natural beauty or species of indigenous wildlife; preservation of biotic diversity; to allow and support sustainable economic activities in the area; and develop and manage the area in the interest of conservation, education and sustained resource utilisation.

“Private Open Space” means land vested in private ownership or municipal land under long term lease, with or without access control, used primarily as private grounds for outdoor sports, rest or recreation area, park, garden or play area and telecommunication infrastructure.

"Private Road" means any street or road having been set aside as a private thoroughway or the parking of motor vehicles, which is privately owned and allows for restricted access or access control. It may include private open space.

"Public Garage" means a building used for the maintenance, repair or fuelling of vehicles and associated purposes, and may include a vehicle workshop, the display and sale of new and used motor vehicles, the cleaning and washing thereof, the sale of spare parts, accessories, fuel and lubricants and may also include a place of refreshment and convenience store as subservient use but excludes spray-painting, panel beating or a scrapyards, provided that the convenience store or place of refreshment, including store rooms, shall not exceed 250m².

"Public Open Space" means land which is under the ownership of the Municipality or other public authority, which is not leased on a long-term basis, and which is used or earmarked for use by the general public as an open space, park, recreation park, garden, esplanade, picnic area, playground or square and telecommunication infrastructure and may include areas where encroachment agreements or servitudes are registered.

"Public Road" means any street or road having been set aside as a public thoroughway for vehicles, of which the ownership as such vests in the local, provincial or national authority in terms of the relevant planning legislation or in terms of any other law, and may include encroachment areas with encroachment agreements or servitudes, and other infrastructure.

"Public Transport Rank" means land and buildings thereon used as a temporary parking area for buses and or taxi's, boarding facilities for passengers, a ticket sales office, an administration office directly related to the main use, rest rooms and a washbay, but excluding workshops.

"Quarrying" means the excavation of dimension stone, rock, construction aggregate, riprap, sand gravel or slate from the ground in an open-pit mine manner to produce building materials and dimension stone.

"Railway Line" any land indicated on an approved plan, diagram or map as having been set aside for railway lines used by freight or passenger trains, including maintenance vehicles and may furthermore include a shunting yard.

"Railway Station" means land and buildings thereon used as a parking area for trains, boarding facility for train passengers, tickets sales office, loading and storage facility for railway freight, including uses related and subservient to the main use, including offices, restaurants, convenience shops, rest rooms and informal trade.

"Recycling Centre" means land or building within which used materials are separated and processed for shipment and for eventual re-use in new products.

"Renewable Energy Infrastructure" means land with a structure and/or building used for the purpose of generating, distributing and transmission of renewable energy from biomass and non-biomass renewable sources such as hydropower, geothermal, wind and solar energy.

"Residential Building" means a building, other than a 'dwelling unit', group housing, hotel, flat and institution, that is designed for and used as a boarding house, residential club, hostel, residential hotel, commune or rooms to let. The rooms within, or forming part of, a residential building may or not include any form of a kitchen.

"Residential Complex" refers to a group of buildings or dwellings that are designed to provide housing for multiple families or individuals. These complexes can include apartment buildings, townhouses, or condominiums, and often offer shared amenities such as swimming pools, fitness centres, and playgrounds. The goal of a residential complex is to create a community-like atmosphere where residents can live comfortably and enjoy a range of amenities and services.

"Resort" means a tourist orientated development comprising of a combination of temporary accommodation facilities, recreation facilities, entertainment facilities, convenience and curio shops, restaurants, cocktail bars, conference facilities and beauty salons, including a health hydro, guest farm, hotel, lodge, chalets, tented accommodation, game farm and caravan park, but excluding guest houses, bed and breakfast establishments and back-packer inns. Hotels situated within urban areas, which mainly provide overnight accommodation, without a combination of services and facilities aimed at the tourism industry, are not regarded as a resort. A resort does not include a filling station. No person shall occupy any facility within the resort for a period exceeding three (3) months within a cycle of twelve (12) months, except with the consent of the Municipality.

"Restaurant" means a building or part of a building used for the preparation and sale of meals and refreshments, confectionery for consumption on the premises, and includes entertainment subsidiary to the main use, and can include a place of refreshment, as well as a drive-through restaurant.

"Retail Shop" means land or building used for the purposes of conducting retail trade and the necessary accompanying storage and packaging and includes any accompanying use on the same site which is incidental and subordinate to the retail business: Provided that such accompanying storage and packaging and accompanying use shall not give rise to any disturbance or nuisance. The following uses shall not be considered as incidental to a retail shop: an industry, drive-through restaurant, scrap yard, commercial use, warehouse, public garage, filling station, parking garage, place of amusement, adult entertainment business and motor sales market.

"Retirement Village" means 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.

"Riding Stables" means a place or undertaking for the hiring of horses and/or procurement of riding instruction against payment and includes the care and stabling of such horses.

"Rural Residential" Land used primarily for residential purposes within rural settlements, including dwelling houses and associated domestic activities, with provision for small-scale agricultural activities and limited community-supporting land uses that are compatible with the rural character of the area

"Rural Settlement" means a rural settlement which can comprise of the following:

- (a) Formal Rural Settlement: Means a settlement, which is planned and surveyed with a General Plan. A formal rural settlement may be approached in the same manner as a proclaimed township with the exception of individual land transfer and registration.
- (b) Semi-Formal Rural Settlement: Means a settlement situated on private, tribal or state land. The settlement is planned and surveyed; however, no approved General Plan exists. A communal property association or tribal authority or Municipality does management.

- (c) **Informal Rural Settlement:** Means a settlement situated on private, tribal or state land. The settlement is not planned or surveyed and therefore no General Plan exists. A communal property association or tribal authority or Municipality does management.

"Sawmill" means an agro-industrial concern directly related to the forestry industry and includes the debarking, sawing and processing of timber as a primary source into planks, poles, blocks, or pallets for distribution to manufacturing industries. A sawmill does not include the manufacturing of wood products for wholesale trade.

"Scrap-yard" 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 from 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 or other articles which are suitable to be left in the open without any serious damage being incurred.

"Second Dwelling Unit" means an additional dwelling unit which may be erected with the consent of the Council and complements the main dwelling unit, including a kitchen and bathroom, on the same cadastral land unit and which may be attached or detached to the original dwelling unit or dwelling house. The intention is that this definition would include what is commonly known as a "granny flat", but that a "second dwelling unit" not be limited to a "granny flat" concept but is confined by the following conditions:

- (a) In the case of land zoned for "Residential 1", only one additional dwelling unit is permitted with the Consent of Council and shall not exceed 30% of the floor area of the main dwelling unit;
- (b) In the case of land zoned for agriculture purposes, the additional dwelling unit shall not exceed 120m² in extent; and
- (c) Site development plan and building plans are approved by the Municipality.

"Self-Catering Units" means a dwelling unit, flat or rooms including facilities for the preparation of meals and ablutions rented out on a temporary basis for the private use of guests, catering for themselves. Self-catering units will only be permitted under zoning which allows for dwelling units.

"Service Industry" means a use, which, in the opinion of the Municipality is a small-scale industry, incidental to the needs of the local community, with the emphasis on maintenance and repair, as well as retail trade in connection therewith, that shall not cause the deterioration of the amenity of the neighbourhood or cause disturbance in consequence of noise, appearance, odour or activities or any reason whatsoever, but excludes a filling station and public garage.

"Service Retail" means a property or building used for the servicing, repair, installation or assembly of electronic or electrical equipment, vehicle and household equipment or appliances, including administrative offices directly related to the main use and retail sale of such equipment or appliances

from the premises; provided that all activities on the property are conducted inside the building without causing any noise disturbance to the immediate surrounding environment. Typical examples of a service retail use include, but are not limited to, catering services, coolrooms for fruit and vegetables, dress-makers and tailors, electricians, engravers, joineries, keymakers, laundries, arts and crafts workshops, photographic studios (for development and printing), plumbers, registration number plates, sign writers, tyres, exhaust systems, tow-bars and vehicle spare parts and accessories, upholsterers, auto electricians, repair workshops for air conditioners, blinds, roll-up doors, boats, caravans, trailers, computers, cash registers, electrical fittings and fixtures, jewellery, lawnmowers, radios, televisions, video recorders, shoes and leather articles, tents, canvass, tarpaulins, vehicles, motorcycles and bicycles.

“Service Trade” means an enterprise primarily involved in the rendering of a service or small-scale trade incidental to the needs of the local community (e.g. spaza shops, tuck shops, shoe maker and the repair of household appliances or the supply of household services) which will not interfere with the amenity of surrounding properties or be of nuisance value by virtue of noise, appearance, odour or activities, or for any other reason whatsoever.

“Sewer Purification Plant” means land or buildings and infrastructure used for the communal processing, purification and/or disposal of sewer effluent.

“Shooting Range” means an area provided with targets for the controlled practice of target shooting that complies with an applicable compulsory specification set in terms of the South African Standards Act, 1993 (Act No. 29 of 1993).

“Shop” means land used or a building designed or used for carrying on retail trade and the necessary accompanying storage and parking and includes any accompanying uses on the same property appurtenant but ancillary to the retail trade being carried out. The following uses are not regarded as appurtenant to a shop: a noxious trade, drive-through restaurant, place of refreshment, scrapyard, parking garage, vehicle workshop, filling station and public garage.

“Shopping Centre/Complex” means a large area containing a variety of retail stores, restaurants, entertainment venues and other services designed to attract and serve customers. The purpose of shopping centres is to create a one-stop-shopping experience for customers, offering a variety of goods and services in a convenient location. Shopping centres are graded in relation to the potential population to be served within the specific retail catchment area.

“Showground” means land and buildings designed and used for exhibitions and sale of inter alia agricultural, residential and industrial products, tourist destinations and accommodation, livestock, vehicles, lifestyle products, and may include places of entertainment and refreshment ancillary to the exhibition.

“Showroom” means land or a building designed or used only for display of products and materials and excludes the sale or delivery of such products or material from the same property.

“Social Hall” means a building used for social assemblies, gatherings, meetings, and recreation, including a non-residential or private club, but does not include a “Place of Amusement”.

“Spaza Shop” means a shop on a residential property only for the selling of daily convenience goods and prepared and prewrapped food, excluding alcoholic beverages, table games or electronic gaming.

The area used for spaza shall not exceed a total floor area of 30m² and is further subject to the policy of the Municipality as amended from time to time.

“Sport and Recreational Grounds” means land that, due to its natural or man-made attractions, is used for purposes normally or otherwise reasonably associated with recreation, entertainment, leisure and indoor and outdoor sport activities which are held primarily for public entertainment, where patrons attend on a recurring basis, and may include the following: sport stadiums, arenas, gymnasiums, animal racing tracks, vehicle racing tracks and public swimming pools, golf courses. including retail for patrons only and offices ancillary to the main use.

The following ancillary uses may be included:

- (a) Swimming pools;
- (b) Water slides;
- (c) Braai facilities;
- (d) Picnic sites;
- (e) Adventure and sport activities;
- (f) Wedding chapel and reception area;
- (g) Conference facility;
- (h) Curio shop and art gallery; and
- (i) Place of Refreshment.

“Sports Facilities” means enclosed areas of sports pavilions, stadiums, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, billiard halls, bowling alleys, and other similar places where members of the general public assemble to engage in physical exercise, participate in athletic competition, or witness sporting events.

“Stadium” Means a place or venue for (mostly) outdoor sports, concerts, or other events and consists of a field or stage either partly or completely surrounded by a tiered structure designed to allow spectators to stand or sit and view the event;

“Staff Quarters” means buildings/quarters constructed by an institution for the purpose of allotment to eligible employees of that institution for their residence under the control of that institution.

“Storage Unit” refers to a number of enclosed structures that can be rented to store personal or business items. Storage Unit sizes may vary in size and do not require water and electrical connection to each unit.

“Student Accommodation” refers to the provision of temporary housing accommodation for students with common kitchen, study area, recreational facilities. This definition excludes Guest Houses, Lodges, Bed & Breakfast facilities, Boarding Houses and Backpackers Accommodation.

“Substation” is a part of an electrical generation, transmission, and distribution system. Substations transform voltage from high to low, or the reverse, or perform any of several other important functions.

“Subsistence Farming” means land used by the owner or occupant for small-scale, subsistence farming activities to cultivate fresh produce for own consumption, including dwelling units and may

also represent communal agricultural land shared between various households, but does not make provision for commercial farming activities.

"Tavern" means land or a building designed for or a portion of a building used for the purposes of selling and serving liquor, other beverages and subservient prepared food/snacks, to be consumed on the premises but excluding a place of amusement provided that the establishment and operation of a tavern shall be subject to a license in terms of the Liquor Act, 1989 (Act No. 27 of 1989) as well as a license in terms of the Business Act, 1991 (Act No. 71 of 1991) in respect of the sale or supply to consumers of any foodstuff in the form of meals for consumption on the property.

"Taxi Holding Area" means area, usually off-street, where minibuses (taxis) hold before proceeding to loading points, and where generally there is no passenger movement. A holding area can either be included within, or separate from, a terminal facility.

"Taxi Parking Area" means demarcated part of a parking lot, which may be used by minibuses (taxis) aiming to provide a public transport service; the provision of parking places for taxis shall form part of the parking spaces for the purposes of determining parking provisions on any property.

"Taxi Rank" means a place at which minibuses (taxis) are allowed to wait and/or stop for passengers boarding or alighting.

"Tea Garden" means land and a building designed and used for the preparation of retail sale of meals and light refreshments, and includes a café, tea room or coffee shop, but does not include a "Restaurant" an/or the subservient serving and consumption of liquor on the property. The area used for a tea garden may be restricted by the Municipality and is further subject to the policy of the Municipality as amended from time to time.

"Telecommunication Infrastructure" means telecommunication (including cellular telecommunication) infrastructure includes any one or more of the following services and or structures accommodated on a property, inside a building or fixed to a building:

- (a) Cell phone base station;
- (b) Antenna support structure, including any solid lattice structure, mast pole, monopole, guyed tower, lattice tower, freestanding tower or any other structure designed and primarily used to support an antenna;
- (c) Antenna structure, including any system of wires, poles, rods, or similar devices, used for the transmission or reception of electromagnetic waves, attached to a building or a mast, and includes cabling between the equipment room and the antenna;
- (d) Base station, antenna support structure and all associated infrastructure such as antenna, microwave dish, equipment room and access road;
- (e) Equipment room including a structure to house telecommunication equipment, or a container, or a room or rooms within a building with another permanent use; and
- (f) Microwave dish, including any device incorporating a reflective surface that is solid, open mesh, or bar configured that is in the shape of a shallow dish, cone, horn, or other, and is used to transmit and/or receive electromagnetic waves.

"Telephone Kiosk" means a structure, either mobile or fixed, containing telephone equipment for the use of the public for financial gain of the owner. A telephone container is included in this definition.

"Testing Station" means an establishment licensed to issue warrants of fitness for motor vehicles and testing and issuing driver's license.

"Theatre" means a building within which a collaborative form of performing art that uses live performers typically by actors or actresses, to present the experience of a real or imagined event before a live audience.

"Tourist Facilities" means amenities or facilities for tourists or visitors such as lecture rooms, restaurant, gift shops, restrooms or recreational facilities, but does not include a hotel or overnight accommodation.

"Traditional Healing Practice" means the provision of an alternative health service to the community in an attempt to cure illnesses and restore general health, based on the exercising of traditional healing practices, including administering of traditional medicine derived from the natural environment by a Traditional Health Practitioner.

"Traditional Residential Area" means traditionally built, mainly low-durability dwellings often constructed by family members with less access to modern amenities compared to urban areas, and may, or may not, be arranged on cadastrally surveyed sites.

"Transport Depot" means land and/or buildings used for the transfer of goods or persons from one motor vehicle to another such vehicle for hire or reward, or for the storage of goods delivered by road transport, and includes the maintenance, repair, garaging or parking.

"Transport Terminus" means land and buildings designed as a terminus or gathering place for various forms of transport arriving and departing from different directions or routes and may include wash bays for the vehicles, ablution facilities and places of refreshment.

"Truck Stop" means a facility with direct access from a freeway or major transport route which provides overnight facilities for drivers of long haul vehicles, trucks, buses and heavy-duty vehicles or an overnight parking facility for such vehicles containing their own on-board sleeping facilities.

"Tuck Shop" means a facility for retail trade from a dwelling house or outbuilding for the convenience of only the immediate residential community by one or more of the occupants of the dwelling concerned.

"Urban Agriculture" means 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 the use of commonage for agricultural purposes.

"Utility" means land, buildings, structures, or infrastructure required and used for the provision of water, sewer, waste disposal, storm water or electricity engineering and associated services for the proper functioning of urban development and includes, but is not limited to, water reservoirs, and purification works, electrical substations and transmission lines and waste water pump stations. A utility does not include a waste disposal site, sewage purification plant or telecommunication infrastructure.

"Vehicle Sales Market" means land used, with or without buildings, for the sale or display of motor vehicles and/or boats and/or caravans, including a showroom, but does not include any form of workshops, sale of spare parts or scrap yards.

"Veterinary Clinic" means a building or part thereof wherein animals are treated or kept for treatment by a registered veterinarian, including temporary boarding facilities for treated animals and related retail, and may include a grooming parlour but excludes an animal refuge.

"Warehousing and Packaging" means a building or use of land for the exclusive purpose of packaging, storage and distribution of goods, which in the opinion of the Municipality are not dangerous, noxious or unsightly, and office facilities directly related, and subordinate, to the main use and retail trade in goods which are processed or assembled on the premises.

"Waste Disposal Site" means a place where household, commercial or industrial waste products are stored, salvaged, treated or disposed of in a lawful manner.

"Water Purification Plant" means a facility where water is treated to make it potable for the end-user, or for environmentally safe discharge back into the water cycle.

"Wholesale Trade" means land or a building used for the sale of articles only to licensed retailers, other wholesalers, contractors or manufacturers for resale or use in their enterprise.

"Wildlife Estate" means a self-sustainable nature based low density rural residential development which may form part or include a country estate, private nature reserve or game farm. The residential component of a wildlife estate is usually clustered to ensure minimum impact on the natural environment. The residential density allowed in a wildlife estate will be determined by means of municipal policy and policy of relevant provincial and national departments, as amended from time to time.

"Wood Yard" means the secondary processing of raw logs into firewood or the storing of raw logs for future delivery for processing into firewood and/or the storing and sale of firewood to the public.

"Workshop" means a room or building in which goods are manufactured, processed, mechanically repaired or assembled, but which is not classified as a factory.

"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.

"4x4 Trail" means a series of roads, tracks, and routes, designed for use by off-road vehicles as a recreation or adventure facility, and includes buildings normally required for the administration and maintenance thereof, but does not include tourist accommodation or tourist facilities.

PART III – GENERAL CONDITIONS APPLICABLE TO ALL PROPERTIES

The criteria presented in the sections below shall apply in addition to the zone regulations. The criteria may regulate any aspect of development considered necessary by the Municipality. All development and land use rights applications shall adhere to the applicable regulations contained in these development criteria, with the understanding that the Municipality may, at its discretion, grant a departure thereto. All applications relating to land use and related matters shall be submitted by a registered Professional Planner.

19. Conditions Applicable to all Properties

19.1 Street Closures

19.1.1 As from the date of the closure of a street or portion thereof in pursuance of the provisions of the Thulamela Spatial Planning and Land Use Management By-law, 2016, the land which formerly comprised such streets or portion thereof that have been closed shall be used only for such purposes as the Municipality may determine, on condition that where such land has been zoned on the Map, it may be used only for the purpose for which it has been zoned.

19.2 Prohibition of Access

19.2.1 Entry to, or exit from, any property to, or from, a public street, shall be subject to the following conditions:

- (a) Entrances to, and exits from, such property shall be located, constructed, drained and maintained to the satisfaction of the Municipality, and if required by the Municipality, constructed with a dust-free surface, internal driveways included: Provided that entrance gates on such property shall be located at least 6m from the edge of the tarred surface of a street or road; and
- (b) The Municipality may prohibit the entrance to, or exit from, a property to a public street from any boundary of such property; with the proviso that the Municipality may revoke such access prohibition on receipt of a written application for its permission, subject to any conditions that the Municipality may impose, except in the case of access restrictions in respect of National or Provincial Roads.

19.3 Building lines in new townships and on subdivisions

19.3.1 In any township established, or in respect of any subdivision of land effected, after the coming into operation of this Scheme and not indicated in the electronic data base of the Scheme (Table 1), building lines shall be applicable to properties abutting any street as stipulated in Clause 19.4.

19.4 Building Lines Relative to Streets

19.4.1 Building lines relative to any existing street, widening of an existing street, or proposed new street shall be as indicated in Table 1. The building lines laid down in Table 1 shall, in the case of dwelling-houses, residential buildings and hotels, be in addition to the widths of any servitude or right-of way:

Provided that:

- (a) Where building lines are not specified in Table 1, the following shall be applicable:
 - i. All use zones will be 3.0m
 - ii. "Agricultural" and "Undetermined" zoned properties will be 10.0 m.
- (b) If no building line is indicated on Table 1 or in these Clauses, the Municipality may fix a building line;
- (c) Where blocks of flats are erected with habitable rooms on the ground floor in "Business 1" or "Business 2" Use Zones an additional minimum distance of 1.0 metre between the building line and the street boundary shall be imposed;
- (d) On corner erven in a "Residential 1" Use Zone where the building line is more than 3.0 metres the Municipality may on any one frontage reduce such building line to 3.0 metres; and
- (e) On a property which is zoned "Residential 1", a minimum street building line of 4.0m shall be applicable to a garage or car-port which provides access perpendicularly to the street. Where such access is parallel to the street, then the car-port may be erected on the street boundary of the property.

19.4.2 Where a building line or a set-back on any street boundary or proposed street boundary or other boundary is indicated in Table 1 or is determined in terms of Clause 19.7 hereof, no building or structure, other than those not prohibited in Clause 19.12 below, shall be erected on the land between the building line and the street boundary, proposed street boundary or other boundary:

Provided that:

- (a) The Municipality may grant its permission to relax any such building line or setback; and
- (b) If two or more erven are consolidated, the building line or set-back required in terms of this Scheme in respect of the former common boundary shall fall away: Provided further that the provisions of this paragraph shall mutatis mutandis also apply if two or more erven are notari ally tied.

19.4.3 In all Use Zones no boundary wall, fence or screen higher than 1.8m or any building other than temporary buildings for building operations may be erected on the land between the building line and the street boundary.

19.4.4 In all Use Zones the parking of motor vehicles shall be permitted in the area between the building line and the street boundary and the Municipality may give its permission to the afore-mentioned area or part thereof being used for other purposes:

Provided that:

- (a) the area may be used for serving and consuming meals and refreshments only if used in conjunction with a Place of Refreshment and subject to an approved site development plan;
- (b) the area shall not be used for the storage of goods, wares, merchandise or for advertisement;
- (c) the area shall, if used as permitted in the afore-mentioned paragraph (a), be included in the Floor Area Ratio and in the Coverage;
- (d) should the Municipality require additional ground for street widening, any structure shall be removed at no cost to the Municipality and the Municipality shall not be liable for any compensation other than for the ground so acquired.

19.4.5 Except with the permission of the Municipality no basement shall be permitted in any building restriction area.



Diagram 1. Building lines on erf / Site abutting a street.

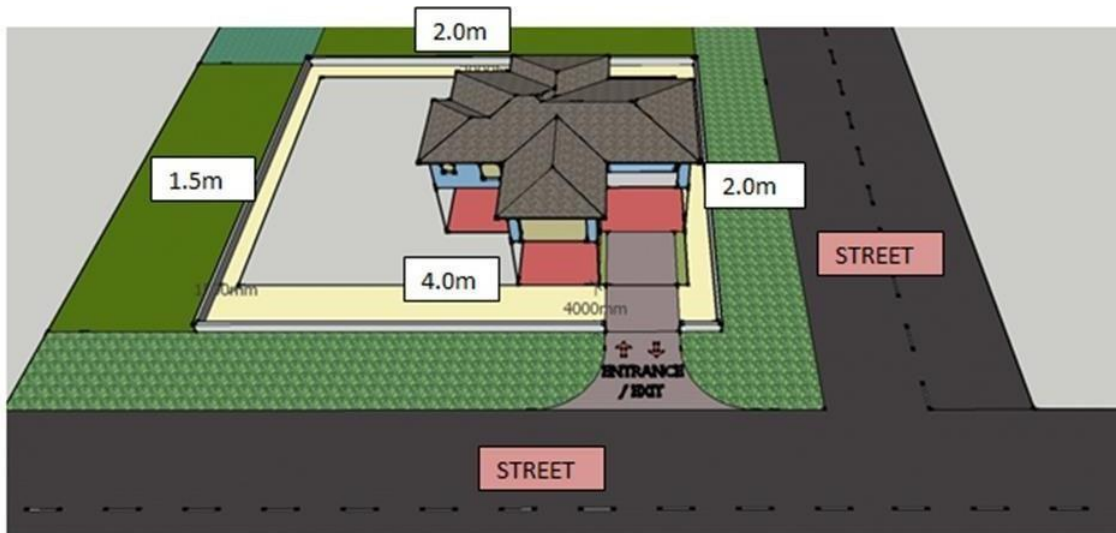


Diagram 2: Building lines on erf / Site at intersection of streets.

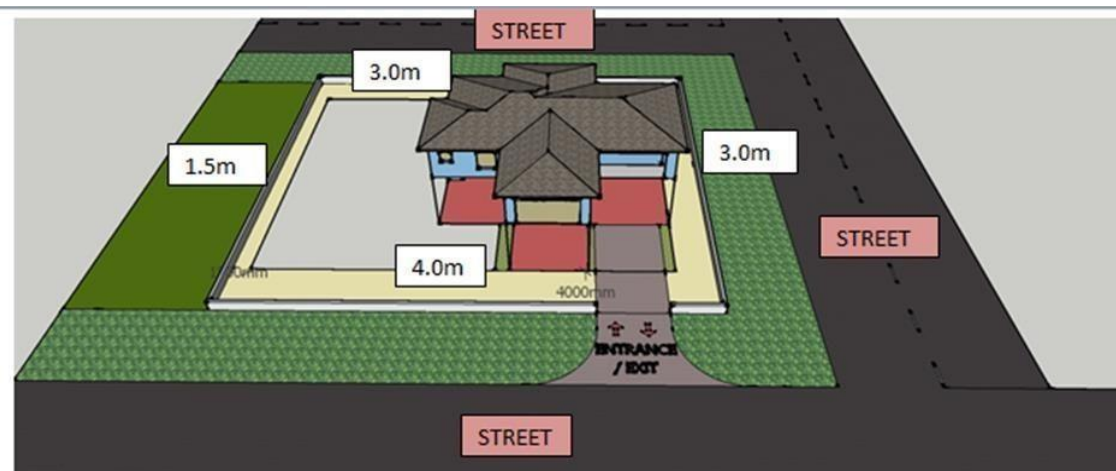


Diagram 3: Building lines on erf / Site bordered by streets.

19.5 Protrusion of Canopies over Building Lines

19.5.1 Subject to permission being granted by the Municipality in terms of the By-laws, canopies shall be permitted to project over the street building line: Provided that canopies of public garages excluding the columns, may encroach over the building line by a maximum of 3.0m.

19.6 Land for Street Widening

19.6.1 The Municipality may require land along street boundaries for street widening.

19.7 Building Restriction Areas

19.7.1 Subject to any other provision of this Scheme, no person shall –

- 19.7.1.1 erect a building or make any alteration, extension or addition to an existing building, in such a manner that such building or any part thereof projects over or encroaches on a building restriction area stipulated in Table 1;
- 19.7.1.2 the Municipality may accede to the relaxation of building restriction lines upon receipt of an application for written consent in any zone to one (1) meter on any street boundary, zero comma five (0.5) meter on lateral and one(1) meter on rear boundaries, subject to conditions. Street boundary restriction lines may be relaxed to 0 meter only for a guardhouse and spaza shop in the respective use zones.

19.7.2 Notwithstanding the provisions of Sub-clause (19.7.1) and Table 1 or any Bylaw:

- (a) any step, gate, fence or wall not exceeding 1.8m in height measured from natural ground level, or any open porch, may encroach on the building restriction area; and
- (b) in the case of a building consisting of flats, balconies may project to a maximum distance of 0.70m over the building restriction area:

Provided that:

- i. Such balconies are single units and not enclosed; and
- ii. The aggregate length of all such balconies shall not exceed 50% of the length of the building;

19.7.3 The Municipality may, subject to such conditions as it may deem fit, give permission that:

- (a) Any building to encroach on any of the building restriction areas specified in Table 1 shall be subject to the approval of a Site Development Plan;
- (b) Any other wooden and/or metal structure designed and used exclusively as a doll's house, poultry-house, aviary, pigeon loft, potting-shed, toolshed, coal-shed, cycle shed, summer-house, pump-house, reservoir or dog kennel to be erected within a building restriction area, provided it is screened off behind a wall of at least 1.8m high and not visible from a street and adjacent properties and it shall not be used for residential purposes or a Home Enterprise/Occupation; and
- (c) The maximum height of 3m, as required by Proviso (b) of Sub-clause (19.7.3)(c), and the maximum height of 1.8m of a wall, as required by Sub-clause (19.7.3)(a), to be exceeded.

19.7.4 The reference to property boundaries shall mean the boundaries of a property as indicated in Table 1,

TABLE 1: BUILDING RESTRICTION AREAS IN RESPECT OF ALL BUILDINGS

Use zone	Building line in meters		
	On street boundary	On rear boundaries	On other boundaries
Agriculture	10	2	1.5
Industrial 1	5	2	1.5
Industrial 2	5	2	1.5
Mining and quarrying	10	5	5
Protected areas	-	-	-
Open Space	4	2	1.5
Residential 1	4	2	1.5
Residential 2	4	2	1.5
Residential 3	4	2	1.5
Traditional Residential Area	4	2	1.5
Tourism	4	2	1.5
Business 1	4	2	1.5
Business 2	4	2	1.5
Business 3	4	2	1.5
Educational	4	2	1.5
Government/Municipal	4	2	1.5
Institutional	4	2	1.5
Utilities and Services	-	-	-
Roads	-	-	-
Transportation	-	-	-
Special	As per SDP/Annexure		
Undetermined	10	-	-
Other	3	-	1.5

19.8 Sitting of Buildings and Access

19.8.1 Entrance to and exit from a property from or to a public street or road may be prohibited across any boundary, provided that:

- (a) The 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;
- (b) 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.

- 19.8.2 Any step, gate, fence or wall should be erected along/within the property building line/building restriction area.

19.9 Advertisement Signage

- 19.9.1 No signage or advertisements shall be displayed or hoardings permitted without the approval of the Municipality. Any person proposing to erect any sign, advertisement or hoarding shall submit drawings of such sign or advertisement or hoarding for approval. No hoarding or advertisement shall be permitted which may be likely to cause injury to the amenity of the neighbourhood. Nameplates not exceeding 0.2m² in extent are not considered to fall under this heading. This clause does not apply to casual advertisements for events, property for sale, auctions to be held on the premises or meetings, provided they are not, in the opinion of the Municipality, unduly ostentatious, and do not interfere with pedestrian or vehicular access or visibility.

19.10 Loading and Parking Requirements

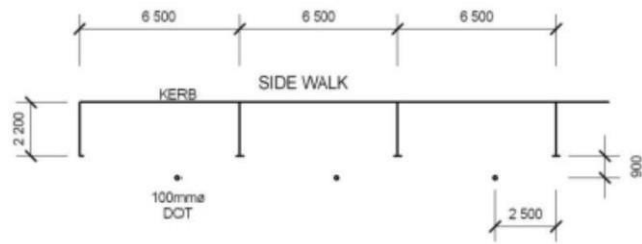
- 19.10.1 Any person intending to erect, alter or extend a building or development or use any erf located within the Thohoyandou CBD, Sibasa, Mutale and Extended CBD as earmarked in terms of the relevant Municipal SDF, shall provide parking at a ratio of 3 parking bays per 100m² Gross Leasable Area as onsite parking, irrespective of the land use and irrespective of the standards and requirements as set out in Table 2 and Column 12, Table "C".
- 19.10.2 Any person intending to erect, alter or extend a building or development or use any erf shall provide on-site parking within the boundaries of the site in accordance with the standards and requirements as set out in Table 2 and Column 12, Table "C".
- 19.10.3 When computing the total number of parking and loading spaces required in respect of any specific use or building, such number shall be determined to the greater whole number of parking bays/loading spaces.
- 19.10.4 Where the use proposed is not contained in this clause, parking shall be provided at the discretion of the Senior Manager: Planning and Development.
- 19.10.5 A parking space shall be an area which is clearly outlined and demarcated for the parking of one motor vehicle and which is accessible to the satisfaction of the Municipality. The parking space plus maneuvering area of the parking shall be to the satisfaction of the Municipality. For the purpose of this Clause, a parking bay shall have dimensions of 5.5m by 2.5m with a gross area of 30m² to provide for maneuvering space.
- 19.10.6 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.

- 19.10.7 The gross area per loading space shall be deemed to be 50m² (10m by 5m) and shall be applicable to new buildings and/ or additions.
- 19.10.8 The levying of a parking fee for the hire of parking spaces provided in terms of this section shall not be regarded as a business.
- 19.10.9 Notwithstanding any provision of this Clause the Municipality may, at its sole discretion, in lieu of the provision of on-site parking by the developer:
- (a) Instruct a developer to provide at his own cost and to the satisfaction of Council the number of car parking spaces that the developer would have been required to provide on-site in terms of the Scheme, on land reserved in terms of the Scheme for public vehicular parking purposes;
 - (b) Agree to a developer providing public vehicular parking on another site, which has been identified by the Developer and is acceptable to the Council and further subject to the registration of a Notarial Deed in restraint of separate alienation of the land concerned;
 - (c) Provided that the vehicular parking as contemplated in sub-clauses (a) and (b) above, shall be constructed and completed to the satisfaction of the Council before a building completion certificate, as provided for in the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977), as amended, is issued in respect of the building or buildings to which the provision of the relevant vehicular parking relates; or
 - (d) Instruct a developer to contribute to a Parking Reserve Fund by way of a payment in lieu of the provision of on-site parking. The payment shall be calculated on the basis of the actual cost to the Council or its nominee to provide the number of car parking spaces required to be provided by the developer on the site of the development in terms of the Scheme.
- 19.10.10 Notwithstanding any provision of this Clause the Municipality may, at its sole discretion, upon receipt of a written consent application grant consent for the relaxation of the parking requirements stipulated in Table 2 C (12) by no more than 40% of the parking bays required for the proposed development.
- 19.10.11 Parking for disabled persons must be provided in the ratio of one (1) bay per 50 standard parking bays required in terms of the stipulation of the Scheme.

The bay(s) shall be positioned not more than 50 meters from the entrance to the building/facility.

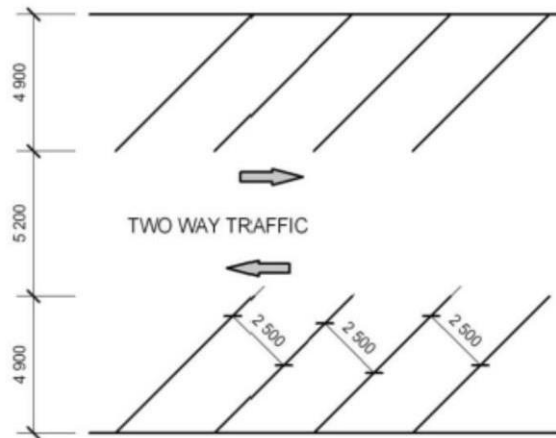
The bay(s) shall be positioned on level ground with a width not less than 3,5m clearly visible signage will indicate the locality of the designated bay(s). Refer to Diagram 4, 5 and 6.

DIAGRAM 4



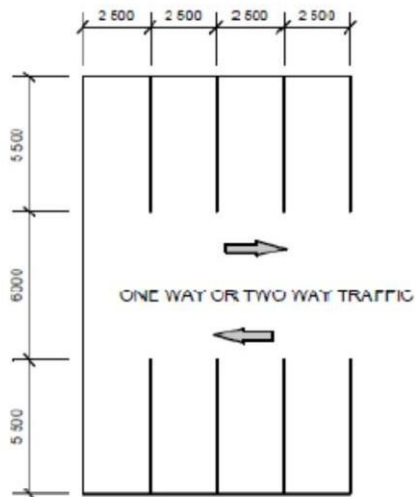
PARALLEL ON STREET PARKING

DIAGRAM 5



45° PARKING LAYOUT

DIAGRAM 6



90° PARKING LAYOUT

19.11 Excavations, Boreholes and Septic Tanks

19.11.1 Except with the written consent of the Municipality and subject to such conditions as it may impose, neither the owner nor the occupant (excluding where the Municipality, government or wholly owned government company is the owner) shall, or allow any other person to:

- (a) Excavate any material from an erf or other land within the jurisdictional area of the Municipality save as may be necessary to prepare such erf or land for building purposes;
- (b) Sink any wells or boreholes on such erf or other land within the jurisdictional area of the Municipality, or extract any underground water therefrom, save as may be necessary on land where the Municipality does not provide the service, provided that other relevant legislation will still apply; with the proviso that said extraction be registered with the Department of Water and Sanitation, where applicable;
- (c) Manufacture, or permit the manufacturing of, tiles or earthenware, pipes or other articles of similar nature for any purpose whatsoever on a property within the area of the Scheme; and
- (d) Install septic tanks and French drains other than according to engineering standards and DWS specifications. The building control office should be engaged to confirm commencement of building.

19.12 Splay of Corners and Street Widening

19.12.1 Upon subdivision of any land, where any portion of such land is physically separated by the execution or proposed execution of public works, and provided that such portion does not fall below 75% of the minimum area as laid down in this Scheme for the said land, the portion so divided may be regarded as a separate erf, subject to the application procedures in the Scheme.

19.13 Protection of Land and the Environment (Flora, Fauna, Habitats and Natural Systems)

19.13.1 No person may spoil or damage land in any Use Zone so as to impair its use or the purpose for which it was zoned.

19.13.2 No person may develop land without complying with the requirements of the National Environmental Management Act, 1998 (Act No. 107 of 1998) as amended from time to time and without observing the requirements relating to listed activities.

19.13.3 The Municipality may instruct a Land Development Applicant to submit confirmation from the Limpopo Department of Economic Development, Environment and Tourism that the proposed development does not constitute a listed activity, or require environmental authorization.

19.14 External Appearance of Buildings

- 19.14.1 The external appearance of all classes of buildings which any person proposes to alter, extend or erect, and their harmonious relationship with their environment, shall be subject to the approval of the Municipality, which approval the Council may withhold or may grant unconditionally, or subject to such conditions as it may deem appropriate.
- 19.14.2 Every person who proposes to alter, extend or erect any building shall submit to the Municipality for its approval the drawings, plans and schedule required in terms of the National Building Regulations.
- 19.14.3 The Municipality may disapprove a proposal for the erection, alteration or extension of a building if it is of the opinion that the external appearance of such building would be unsightly in itself or where it is of the opinion that owing to the climatic or other conditions prevailing in the locality the materials to be used in the building are likely to deteriorate and become unsightly or untidy in appearance, or if it considers that the building is architecturally sub-standard or unsuitable for the locality, or, having regard to the character of the locality, existing or as contemplated by this Scheme, or of the buildings erected in such locality, is of the opinion that it would disfigure, or be out of harmony with, the locality or neighbouring buildings.
- 19.14.4 Should the appearance of the area be negatively influenced, or in the event of any justifiable complaints in connection with the mentioned erection, alteration or extension, an approval made in terms of consent use may be withdrawn.

19.15 Stormwater

- 19.15.1 Where, in the opinion of the Municipality, it is impracticable for stormwater to be drained from higher lying erven directly to a public street, the owner of the lower lying erf shall be obliged to accept and permit the passage of such stormwater over the lower lying erf, provided that the owners of the higher lying erven from where the stormwater is discharged over a lower lying erf, shall be liable to contribute a proportionate share of the cost of any pipeline or drain which the owner of such lower lying erf may find reasonably necessary to lay or construct for the purpose of leading away the water so discharged over the erf, subject to the approval of the pipeline or drain by the Municipality.

19.16 Placement and Development of Buildings

- 19.16.1 The siting of buildings, including outbuildings erected on the erf, as well as exits and entrances to a public street system, shall be to the satisfaction of the Municipality.
- 19.16.2 No building of any nature shall be erected on that portion of the property which is likely to be inundated by the floodwater of a public stream on an average of once in 100 years, as determined by the relevant legislation from time to time.

19.17 Screen Walls and Fences

- 19.17.1 A screen wall or walls shall be erected and maintained to the satisfaction of the Municipality if and when required by it.
- 19.17.2 Where a property has been fenced, such fence shall be maintained to the satisfaction of the Municipality.
- 19.17.3 Maximum height for a screening wall shall be 1.8m.

19.18 Maintenance of Buildings, Gardens and Sites

- 19.18.1 The owner is responsible for the maintenance of the entire development on the property.
- 19.18.2 Where the amenity of any use zone is detrimentally affected by the condition of any garden, yard, building or any development on a property, the Municipality may, by notice served upon the owner or occupant of the premises on which such condition exists, require him to take, within a period of 28 days or such other period the Municipality in its discretion may deem reasonable from the date of service of the notice, such steps as may be necessary to abate such condition, and the measures required to be taken at his or her expense to abate the condition, shall be set out in such notice.

19.19 Exemption of Existing Buildings

- 19.19.1 Existing buildings are exempt from the stipulations of the Scheme, with the proviso that, where such buildings are altered or added to, and where such altered use, alteration, rebuilding or construction is, in the opinion of the Municipality, substantial, the stipulations of this Land Use Scheme are considered to be binding and valid in respect of those parts that are changed, altered or rebuilt: Provided that additions and constructions that do not exceed 30m² in total (or is of a limited extent such as the removal of non-load bearing internal walls, the erection of moveable partitions, safes and toilets inside an existing building, or repair work inside or outside a building), are not considered to be substantial.

19.20 Buildings used for more than one Purpose

- 19.20.1 Where a building is used, or a proposed building is designed for more than one purpose, it shall, for the purposes of Clauses 19.21, 19.22, 19.23 and 19.26, (Density; Height; Coverage; Parking and Loading requirements), be deemed to be partially used or to have been partially designed, for each such purpose or use: Provided that for the purposes of this clause, if more than 75% of a building is otherwise designed or used for a single use or a single use is predominant in such building, it shall be dealt with as if used or designed for such predominant use. The Municipality shall, in its discretion, when considering a building plan, or upon application for this purpose being made by the person in charge of the erection of a building, or proposing to erect a building, decide which use is predominant.

19.20.2 The Municipality shall notify the Applicant, within thirty (30) days or such other period the Municipality in its discretion may deem reasonable, after official receipt of the building plan or application in terms of any decision in terms of subclause 19.20.1.

19.21 Densities and Occupation

19.21.1 Column 5 and 6 in Table "B" stipulates the maximum permitted density of dwelling units that may be erected per hectare of land or per erf or per land portion (whichever may be relevant). The extent to which the density may be increased by Special Consent of the Municipality, as the case may be, is stipulated in Columns 5 and 6 of Table "B".

19.21.2 The subdivision of a property (where relevant) shall comply with the density stipulations as set out in Table "B".

19.21.3 In addition to any other conditions that may be applicable to the subdivision of a property, the following further conditions will be applicable to panhandle subdivisions:

- (a) the panhandle shall provide access from a street to the subdivided property;
- (b) the panhandle shall be 3m or wider along its entire length, unless the Municipality grants Written Consent for a lesser width, subject to such conditions it may deem appropriate;
- (c) the area of the subdivided property, excluding the area of the panhandle, shall be in accordance with the density provisions of this Scheme;
- (d) except with the Written Consent of the Municipality, the slope of the panhandle shall not exceed 1:8;
- (e) a panhandle shall provide access only to the property of which it forms part, as well as the property in favour of which a servitude of right of way has been registered over the panhandle, except where the Municipality determines otherwise;
- (f) the registered owner of the panhandle property shall, when required by the Municipality, at his expense, pave the panhandle to the satisfaction of the Municipality prior to or simultaneously with the erection of any building on the property and such roadway shall thereafter be maintained dust free to the satisfaction of the Municipality;
- (g) the registered owner of the panhandle property shall, when required by the Municipality, erect screen walls, fencing or barriers along the boundaries of the panhandle to the satisfaction of the Municipality.
- (h) No buildings or structures except screen walls and barriers shall be erected in the panhandle portion of a property.

19.21.4 The Municipality may, upon application being made for its Special Consent permit the increase in density of dwelling units on a property as stipulated in Columns 5 and 6 in Table "B".

19.21.5 Nothing in this Scheme shall prohibit the erection and/or use of outbuildings to accommodate bona fide employees on a productive farm on a property zoned "Agricultural" in terms of this Scheme.



Diagram 7: Building lines on Panhandle Site/Erf

19.22 Height of Buildings and Balconies

19.22.1 Column 11 in Table "B" stipulates the permissible height of a building on a property. Height may be increased by one storey by way of Special Consent of the Municipality prior to the erection of any new building.

19.22.2 The Municipality shall consider a proposed increase in the height of any building exceeding six (6) storeys with due consideration to any height restriction and/or restrictions laid down by the South African Civil Aviation Authority and/or any other competent authority and/or restrictions in the Title Deed: Provided that, an application for an increase in height of buildings on properties in the demarcated CBD (as per Column 11 Table "B") shall not be unreasonably withheld by the Municipality.

19.22.3 If a proposed dwelling unit or proposed residential building on a property exceeds 1 storey and contains any balcony to be situated within 3 metres from any boundary thereof and, in the opinion of the Municipality, such building may impact on the amenity, privacy, aesthetic value of, or view from an adjacent property, an application for Written Consent shall be submitted to the Municipality for approval prior to the erection of such building.

19.22.4 The Municipality shall require an engineering report if an application is lodged for the relaxation of the height from the standard parameters.

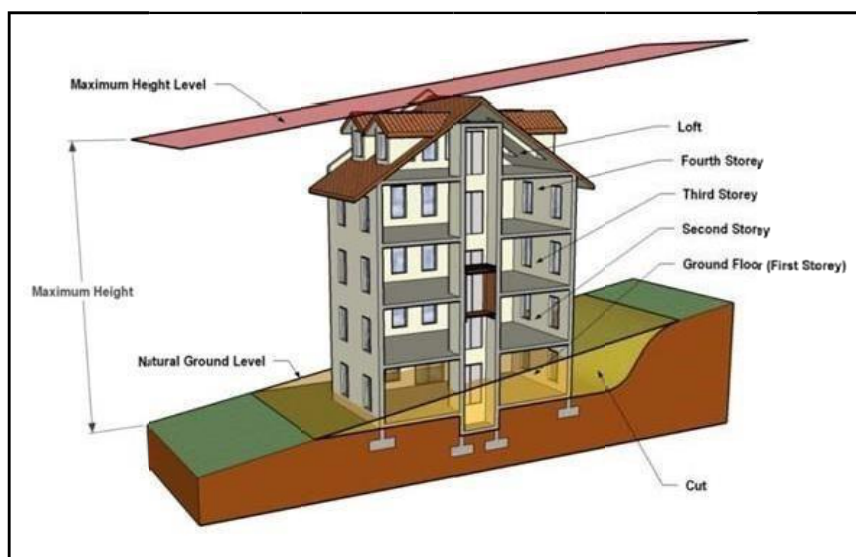


Diagram 8: Height of buildings: Pitched roof

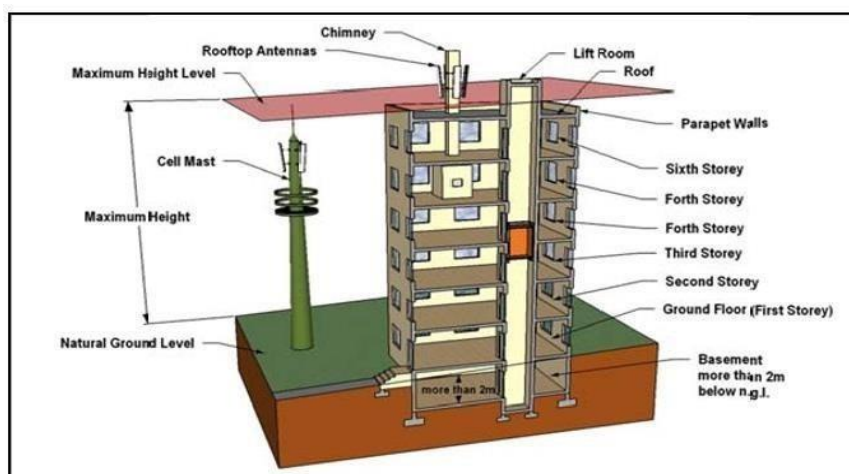


Diagram 9: Height of buildings: Flat roof

19.23 Coverage of Buildings

- 19.23.1 Column 7 in Table "B" stipulates the permissible Coverage of buildings and structures which may be constructed on a property. The extent to which the Coverage may be increased (relaxed) by Written Consent of the Municipality is stipulated in Column 8 of Table "B".
- 19.23.2 Coverage of buildings shall not exceed the coverage stipulated in Table "B" except in cases where the Written Consent of the Municipality is first had and obtained, and then only on condition that the total number of parking spaces required in terms of the Scheme and in accordance with Table "C", Column 12 can be provided to the satisfaction of the Municipality.



Diagram 10: Building coverage

19.24 Floor Area Ratio (F.A.R.)

19.24.1 Column 9 in Table "B", stipulates the permissible Floor Area Ratio which may be applied to determine the extent of permissible floor area that may be executed on a property. The extent to which the Floor Area Ratio may be increased with the Written Consent of the Municipality is stipulated in Column 10 of Table "B".



Diagram 11: Floor Area Ratio (FAR)

19.25 Site Development Plans

19.25.1 The Municipality may require of the owner of any property intending to erect a building or structure thereon, to provide one or all of the following plans in addition to buildings plans required in terms of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977):

- (a) A Site Development Plan and, if required, a Landscape Development Plan to be considered for approval before any building plans are submitted;
- (b) Such plan shall be fully detailed, to a scale of 1:1000, 1:500, 1:200 or 1:100, which shall be amplified by means of sketch plans, sections and elevations of all buildings to an appropriate scale of 1:50 or 1:20, provided that for elevations 1:200 scale may be used. Provided that the Municipality may accept scales other than the aforementioned and which fully illustrates the following aspects:
 - i. The siting, Height, FAR and Coverage of all buildings and structures (proposed extensions included) and the number of dwelling-units per hectare;
 - ii. Landscaping, communal open spaces, children's play areas, private living areas, backyards, laundry rooms, drying areas for washing, refuse-bin area, and swimming pool, as well as the location, height, construction and finish of screen walls or other acceptable forms of screening;
 - iii. Entrances to and exits from the erf to any public street;
 - iv. The proposed lines of subdivision if the erf is to be subdivided;
 - v. Entrances to buildings, parking spaces, loading spaces and vehicular and pedestrian traffic systems;
 - vi. Building restriction areas and the building set-backs on any boundary;
 - vii. The location of existing buildings on adjoining erven;
 - viii. Contour lines with 0.5m intervals or other intervals or height indications to the satisfaction of the Municipality;
 - ix. The grouping of dwelling-units and the phasing of the development if it is envisaged not to develop the whole erf simultaneously;
 - x. The design, height and finish of all buildings and physical barriers on the street boundaries if these are required by the Municipality;
 - xi. True north, site dimension, dimension position of existing and new buildings, number of seats where applicable, client details, zoning information, project title, nature of project, street name and sizes where applicable, square meters of each room, total site area, adjacent sites, parking dimensions and loading zones;
 - xii. Municipal sewer, connections, internal layouts, storm water, catchment pits and storm water layout or method or disposal;
 - xiii. For group housing the services shall be shown on separate drawings.

19.25.2 An approved Site Development Plan shall only be amended with the permission of the Municipality and no building plan which does not comply with the details, provision and conditions as set out in the approved Site Development Plan, shall be approved by the Municipality.

- 19.25.3 No individual dwelling-unit which is linked to another dwelling-unit and/or ancillary outbuilding, shall be occupied before the relevant building of which the dwelling-unit forms part, is completely developed: Provided that the Municipality may, in exceptional cases, grant permission thereto.
- 19.25.4 The landscaping in terms of the Landscape Development Plan shall be completed within Three (3) months of the completion of the development or any phase thereof. The continued maintenance of the landscape development shall be to the satisfaction of the Municipality.
- 19.25.5 A Professional Landscape Architect shall prepare the landscape development plan, which shall comply with the following requirements:
- (a) The plan shall be fully detailed to a scale of 1:200 (or such other scale as may be acceptable to the Municipality);
 - (b) The existing natural features and vegetation on the property shall be indicated; and
 - (c) The proposed soft and hard landscape design information shall specify the species, quantities and qualities of the plants.
- 19.25.6 The Municipality shall, on receipt of a Site Development Plan and/or Landscape Development Plan (hereafter referred to as "the plans"):
- (a) consider same and, if found to comply with the aforesaid requirements, approve the plans; or
 - (b) having regard to the character and quality of the area to which such plans apply, or of the existing and/or future buildings or structures therein, the proposed building or structure would, in the opinion of the Municipality, detract from the character and quality thereof, refuse to approve plans and shall give notice of its decision to the owner, if refused the reasons for such refusal.
- 19.25.7 Save as far as Section 7(6) of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977) may stipulate no owner of any property shall commence the erection of any building or structure before the afore-mentioned Site Development Plan, Landscape Plan and Building Plans have been approved of by the Municipality.
- 19.25.8 The Municipality shall, within two months from the date of the submission to it of such drawings and particulars, signify in writing its approval or refusal of the proposal, and shall in the case of refusal, and where the Applicant so requests, state its reasons for refusing the proposal.

19.26 Loading Spaces and Areas

- 19.26.1 The Municipality may, upon application being made for approval of a Site Development or Building Plan and any amendment thereof, require of the owner of the property to submit proposals for the provision, on the property, of appropriate and sufficient facilities

for loading and off-loading of goods, which proposals shall indicate positions for parking, halting or fuelling of service vehicles.

- 19.26.2 No owner or occupant of a building in respect whereof proposals in terms of this clause are required, may undertake or permit the loading, off-loading, parking or fuelling of vehicles otherwise than in accordance with the Written Permission from the Municipality and in accordance with any conditions imposed.
- 19.26.3 In any "Business" or "Industrial" land use zone, the owner of a property shall, if required by the Municipality, provide loading spaces to the satisfaction of the Municipality, regardless of the size of the building erected thereon.
- 19.26.4 In addition to normal parking requirements, the Municipality will require a drop-off zone in respect of a "Place of Education/Instruction" or "Crèche" or "Day Care Centre" or "Student Accommodation" as provided under all the Use Zones.

19.27 Dolomitic Areas or Land with Adverse Soil Conditions

- 19.27.1 All erven in townships situated where on land where dolomite may be present and/or with adverse soil conditions, shall be subject to the following conditions:
- (a) No French drain shall be permitted on the erf;
 - (b) Trenches and excavations for foundations, pipes, cables or for any other purpose shall be properly refilled with damp soil in layers not thicker than 150mm and shall be compacted until the same grade of compaction as that of the surrounding materials is obtained to the satisfaction of the Municipality;
 - (c) All pipes which carry water shall be watertight and shall be provided with watertight flexible couplings;
 - (d) The entire surface of the erf shall be drained to the satisfaction of the Municipality in order to prevent surface water from damming up, and water from roof gutters shall be discharged away from the foundations;
 - (e) Proposals to overcome adverse soil conditions to the satisfaction of the Municipality shall be contained in all building plans submitted for approval, and all buildings shall be erected in accordance with the precautionary measures accepted by the Municipality;
 - (f) If required, a soil report and/or dolomitic stability study drawn up by a qualified person acceptable to the Municipality indicating the soil conditions of the erf and recommendations as to suitable founding methods and depths shall be submitted to the Municipality simultaneously with the submission of building plans prior to the commencement of any building operations on the erf; and
 - (g) Ramps and garden paths shall be sealed with tar, cement or bitumen in order to reduce the seepage of water from the surface to the satisfaction of the Municipality.

19.28 Subdivision and Consolidation of land, inclusive of Township Establishment

19.28.1 The following circumstances, as applicable, shall be considered when an application for subdivision is evaluated:

- (a) Upon the subdivision of any land, where any portion of such land is physically separated by the execution or proposed execution of public works, such as the construction of a street and provided that such portion does not exhibit below 75% of the minimum extent for the said land, the portion separated may be regarded as a separate parcel.

19.29 Subdivision of Farmland

19.29.1 Conditions applicable to the subdivision of farmland for the exclusive utilisation of land for agricultural purposes:

- (a) Subdivisions will be subject to the consent of the National Department of Agriculture or its successor, on farm portions situated outside the pre-1994 Municipal boundaries, and not exempt from the Act (State Land) or excluded from the provisions of said Act.

19.29.2 Conditions applicable to the subdivision of farmland for utilisation other than for agricultural purposes:

- (a) Subdivisions only be allowed where it is preceded by a successful land use rights application, if applicable;
- (b) Access to each subdivided portion by means of a public road or a registered right-of-way servitude with a minimum width of 10 meters;
- (c) The applicant is responsible for the cancellation of any restrictive title conditions;
- (d) The applicant will be responsible for any costs incurred if the proposed subdivision results in the replacement, alteration or amendment of any existing municipal services;
- (e) Proof of sufficient potable household water be provided for each subdivided portion with a minimum of 1500 litres per day prior to approval of the subdivision;
- (f) Septic Tanks and French Drains should be built according to engineering standards and Department of Water and Sanitation specifications;
- (g) No Septic Tank or French Drain will be allowed within the 1:100 year flood line or closer than 100m from any open water or bore hole;
- (h) Consent from Controlling Authority must be obtained where direct access is required from a provincial or national road;
- (i) Approval of building plans prior to the construction of any structure or building;
- (j) Obtaining the consent of the relevant irrigation board, if applicable;
- (k) A minimum size of 1-hectare (10000m²) per subdivided portion, with a relaxation of up to 8 565m² (one morgen) that may be granted under special conditions;

- (l) Subdivisions into smaller portions can be considered on merit in cases where such a smaller portion is separated from the remainder of the farm by a road / street, railway line or canal;
- (m) If the subdivision comprises a private estate development, the developer will be responsible for distribution of water to the relevant subdivisions including the registration of suitable servitudes of aqueduct;
- (n) The developer will be responsible for the establishment of a Section 21 Company (property owners association) that will be responsible for paying all charges and levies raised by the board or the State, from time to time.
- (o) All the owners in the development must belong in perpetuity to the association (enforced as a condition of title).

19.30 Saving for Special Purposes

19.30.1 Without prejudice to any powers of the Council derived from any law, or to the remainder of this Scheme, subject to a written submission by the registered owner, nothing in the foregoing provisions of this part of the Scheme shall be construed as prohibiting or restricting or enabling the Local Authority to prohibit or restrict the following:

- (a) The use of land or the erection of buildings required for the purposes of recreation or sports ground not being a recreational or sports ground ordinarily open to the public on payment of a fee;
- (b) The letting of a dwelling house or dwelling unit on a long-term basis (agreements longer than 1 month) in such a manner that a maximum of one family with four other persons are accommodated therein; provided that if any additional persons and guest are to be accommodated, the use will be construed as that of a Guest House, Boarding House or Residential Building and the relevant permission therefore must be obtained;
- (c) The occasional use of a place of public worship, place of instruction or institution, as a place of amusement or social hall subject to prior notification by the owner / operator to the Municipality;
- (d) The practise, subject to the provisions of any applicable Bylaw, in or from any dwelling unit, dwelling house or residential building of a profession or occupation by a person who, with his family permanently occupies such dwelling unit, dwelling house or residential building for residential purposes provided that no other person not residing on the property is employed in relation to the occupation or profession is subject to the following conditions,
 - i. The applicant must reside permanently in the dwelling unit, dwelling house or residential building with his/her family and the total area used in terms of Clause (d) shall not exceed 25% of the total area of the dwelling unit, dwelling house or residential building (all outbuildings; garages; stoeps and verandas excluded).
 - ii. The structure of the dwelling unit, dwelling house or residential building may not be amended/alterd or enlarged in any manner so as to increase the area of the main structure, after the consent of the Council has been granted:

Provided that the Council may consider such an amendment/alteration or enlargement upon submission of a site development plan indicating the proposed alterations together with the consent use application.

- iii. A single notice or sign-board ordinarily exhibited on a dwelling house or dwelling unit to indicate the name and profession of the applicant may be displayed and such notice or sign-board shall not be larger than A1 dimensions (594mm X 841mm) and must comply with the Advertising By-laws of the Council.
- iv. The employment, or taking into a partnership of a maximum of two persons is permissible only with the consent of the Council. This means that strictly a maximum of three people (including applicant, partner, secretary, receptionist, messenger, cleaner, clerk, etc.) will be permitted to work at or from the proposed home office.
- v. A non-public orientated administrative business shall be permitted to operate from a home office, but any type of retail, industrial activities, noxious industries, workshops (any repair work) and service industries are excluded. Public orientated activities / offices (e.g. medical doctors / dentists may be considered by Council after receiving a written application and on condition that the proposed use or activity will not interfere, with the amenity of surrounding properties or be of nuisance value by virtue of noise, appearance or odour of activities or any other reason whatsoever.
- vi. The required parking spaces as determined in Table 1 must be provided on the property and no parking will be allowed in the road reserve of any public street or on public open spaces (parks). A site plan indicating the required parking spaces must be submitted with the application.
- vii. A special rate for property taxes shall be levied where Council has approved such an application. This rate will be applicable to the relevant property up to the date on which the owner/applicant notifies the Council in writing that the use has been terminated.
- viii. The following business activities are not allowed in residential units, residential buildings or residential dwelling houses:
 - Retail in the form of shops
 - Noxious industries
 - Wholesale trade
 - Restaurants
 - Places of entertainment
 - Places of amusement
 - Funeral undertaking
 - Tourism/visitors information bureau
 - Building society agency
 - Bank agency
 - Tavern
 - Escort agency
 - Tow-in service
 - Motor workshop

- Place of instruction for more than 6 people with the exception for pre-schools, day care centres, day mothers and play groups.
- Panel beater
- Parcel delivery service
- Radio control, telephone exchange
- Travel agency
- Shooting range
- Blasting contractor
- Butcher
- Spray painter
- Taxi business
- Vehicle Sales
- Manufacturing of concrete products
- Packaging contractor
- Place of refreshment
- Transport undertaking
- Drycleaners
- Institutions with the exception of pre-schools, day care centres, day mothers and play groups
- Warehouses
- Scrap yard
- Security businesses
- Builders yard
- Building or construction contractor
- Employment or recruitment agency.

- ix. For purposes of this policy, a non-public orientated business means a business that does not provide a direct service to the public and thus has low-frequency client visits.

20. Land Use Zone

- 20.1** A land use zone provides an exposition of the existing land use rights applicable to a property.
- 20.2** Each property within the Municipal area of jurisdiction has a vested right which is recorded in the Land Use Rights Register.
- 20.3** No development may exceed the rights vested in the Land Use Rights Register.

21. Structures which may be erected in any Use Zone

- 21.1** Except for the owner of a property being compelled to comply with the provisions of, inter alia, the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977) or any other applicable law, nothing in this Scheme prohibits the erection of entrance structures (other than entrance halls and entrance passages), pergolas, garden ornaments, garden walls and fences on any property within the Scheme area.

22. Erection and Use of Buildings or Use of Land

- 22.1** For the purposes of this clause, the expression “erection and use of a building” includes the use of land and a building, as well as the conversion of a building for that use whether or not it entails the structural alteration thereof.
- 22.2** The purposes for which buildings and land in each of the use zones:
- (a) May be erected and/or used;
 - (b) May be erected and/or used only with the Special Consent of the Municipality, permanently or for a specified period;
 - (c) May be erected and/or used only with the Written Consent of the Municipality; or
 - (d) May not be erected and/or used.

are depicted in the Land Use Zone Table.

- 22.3** No person shall without consent being granted in terms of applicable Clause of the Scheme use, or cause, or permit to be used, any building or property or part thereof, for a purpose other than that for which it was zoned.
- 22.4** If the use of a land changes because of the rights that have been granted to a property or have already vested in the property, such building and the property shall comply with all the conditions laid down and which are applicable to the use.

- 22.5** If the use of an existing building changes and it is not in accordance with the rights attached to the property, it shall comply with all the stipulations of the Scheme.
- 22.6** Where the use of land or a building can only be conducted with the permission of the Municipality, the use may not be conducted prior to the consent being given.
- 22.7** Nothing herein contained shall be deemed to grant exemption from any of the Municipality's By-laws or any other Act.

23. Land Use Zones and Statement of Intent

- 23.1** Land within the municipal area is divided into the following Land Use Zones:

ZONE:	ZONE DESIGNATION:
1	Agriculture
2	Business 1
3	Business 2
4	Business 3
5	Educational
6	Government/municipal
7	Industrial 1
8	Industrial 2
9	Institutional
10	Quarrying and mining
11	Open space
12	Protected areas (environmental conservation)
13	Utilities and services
14	Residential 1
15	Residential 2
16	Residential 3
17	Roads
18	Rural residential
19	Special
20	Transportation services
21	Tourism

- 23.2** The Municipality hereby establishes the Land Use Zones contained in this chapter.
- 23.3** The zone number is indicated in the top left-hand corner of Table 2.
- 23.4** The colour notation shown in the Table, also containing the colour codes, shall be used on all plans and documents prepared in terms of the Scheme.

Table 2 : Land Use Table: Thulamela Land Use Scheme, 2026

Zone Number 1				Use Zone: AGRICULTURE								
R=255, G=221, B=180												
Statement of Intent												
The use of land for agricultural purposes, including the use of land for structures, buildings and dwelling units reasonably necessary for or related to the use of the land for agricultural activities.												
Objectives												
- To utilize agricultural land sustainably. - To ensure that land deemed to have high agricultural potential is optimally used. - To provide mechanisms for the identification and protection of productive agricultural land. - To ensure that agricultural practices are consistent with environmental considerations and pollution controls.												
TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Uses/ Rights permitted only with written consent of the local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
			Buildings/uses not in columns 1-3	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		
Agricultural buildings											1 space per 100m² floor area and 3 spaces per 100m² office floor area	2 spaces per 1000m² gross leasable floor area, or part thereof
Agri-park											2 per 100m² parking gross leasable area	2 spaces per 1000m² gross leasable floor area, or part thereof
Biosphere											As approved by the Municipality	
		Dwelling house		1 per erf/portion	2 per erf/portion						At least 1 space	Not applicable
Greenhouse											2 per 100m² parking gross leasable area	2 spaces per 1000m² gross leasable floor area, or part thereof
	Landing Strip											
Orchard												
Cash Crop												
Nature Reserve											As approved by the Municipality	As approved by the Municipality

TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Uses/ Rights permitted only with written consent of the local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
		Camping Site									1 space per tent or caravan or mobile dwelling unit site and 4 spaces per 100m ² office gross leasable floor area and 1 space per 4 seats and 6 spaces per 100m ² place of refreshment public and 6 spaces per 100m ² retail floor area	1 space per 1000m ² place of refreshment or retail floor area, or part thereof
		Cultural Heritage Site									As approved by the Municipality	As approved by the Municipality
		Second dwelling unit		120m ² , including garage							1 parking per dwelling unit, and an additional parking per 3 units for visitors	Not applicable
	Abattoir										5 spaces for the first 100m ² gross leasable floor area or part thereof	2 spaces per 1000m ² gross leasable floor area, or part thereof
	Agricultural Industry										1 space per 100m ² floor area and 3 spaces per 100m ² office floor area	2 spaces per 1000m ² gross leasable floor area, or part thereof
	Agri-Village										2 spaces per every 3 dwelling units	At least 1 space
	Airfield										2 spaces for the first 100m ² floor area or part thereof	2 spaces per 1000m ² gross leasable floor area, or part thereof
	Animal Refuge										3 spaces per 100m ² floor area	1 Space per 1000m ² gross leasable floor area, or part thereof
	Back-packer inn										1 space for every 5 beds	1 Space per 1000 m ² gross leasable floor area, or part thereof
	Botanical Garden										1 parking space per every 100m ²	Not applicable
		Child day care Centre									1 space for every 4 children	1 drop-off space for vehicles per 10 students
	Commonage										6 spaces per 100m ² informal trade floor area	1 space per 1000m ² gross leasable floor area, or part thereof

TABLE "A"				TABLE "B"						TABLE "C"		
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Uses/ Rights permitted only with written consent of the local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
	Construction camp										Not applicable	Not applicable
	Environmental Facilities										6 spaces per 100m² floor area	1 space per 1000m² floor area, or part thereof
		Farm Stall									6 spaces per 100m² floor area	2 spaces per 1000m² gross leasable floor area, or part thereof
	Fuelling Facility										40% of property reserved for parking and loading requirements	
	Guest House										1 parking space per room/suite and 1 parking space for every 3 rooms/suits for visitors	1 space per 1000m² gross leasable floor area, or part thereof
	Harvesting of natural resources										Not applicable	Not applicable
	Heliport										4 spaces per 100m² office floor area, 1 space per 100m² repair facility and 1 space per rotary wing aircraft storage unit	1 space per 1000m² gross leasable floor area, or part thereof
		Household enterprise									3 parking spaces per 100m² floor area	Not applicable
	Lodge										1 space per guest room or suite and 6 spaces per 100m² public floor area	1 space per 1000m² gross leasable floor area, or part thereof
	Mobile dwelling unit										40% of property reserved for parking and loading requirements	
		Nursery									2 per 100m² parking gross leasable area	2 spaces per 1000m² gross leasable floor area, or part thereof
	Place of Public Worship										16 parking for every 100m² gross leasable area	2 spaces per 1000m² gross leasable floor area, or part thereof
	Place of education/Instruction										2 spaces per 100m² 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
	Taxi rank and bus rank										As approved by the Municipality	As required by the Municipality

TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Uses/ Rights permitted only with written consent of the local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
		Craft production									3 parking spaces per 100m ² floor area	2 spaces per 1000m ² gross leasable floor area, or part thereof
	Resort										1 space per room and 4 spaces per 100m ² public floor area	1 space per 1000m ² gross leasable floor area, or part thereof
	Riding Stables										1,0 spaces per stable	1 space per 1000m ² gross leasable floor area, or part thereof
	Telecommunication infrastructure										Not applicable	
	Tourist Facilities										3 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof
		Traditional healing practice									3 spaces per 100m ² floor area	Not applicable
Livestock farming												
Mixed farming												
		Tuck Shop									3 spaces for visitors	Not applicable
	Veterinary Clinic										3 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof.
	Wood Yard										40% of property reserved for parking and loading requirements	
	4x4 Trail										4 spaces per 100m ² office floor area and sufficient area for parking of the participating 4x4 vehicles and sufficient parking area for spectators	Not applicable
	Zoological Garden										6 spaces per hectare uncovered exhibition floor area and 4 spaces per 100m ² covered exhibition floor area	1 space per 1000m ² covered or uncovered floor area, or part thereof
	Showgrounds										1 space per 4 seats and 4 spaces per 100m ² public floor area	1 Space per 1000 m ² gross leasable floor area, or part thereof

Zone Number 2				Use Zone: BUSINESS 1								
R=255, G=000, B=000												
Statement of Intent												
A zone characterised by a wide range of urban activities e.g. economic activities, retail, business, services, administrative, community, educational, environmental, entertainment and housing. Space is at a premium and most transport routes converge into and radiate outwards from this zone.												
Objectives												
- To encourage the development of a typical central business district (CBD) to accommodate a full range of compatible land uses. - To ensure that the spatial development and sustained functioning of the core area is supported by appropriate levels of transportation, pedestrian access ways and sufficient capacity engineering services. - To allow the development of a range of complementary land uses with varying degrees of mix, which may include informal trading which, within the use zone, are compatible, and generally do not breach the level of amenity contemplated by the zone. - To ensure that a balance between the natural and built environment is maintained through landscaping and areas of green space. - To encourage, where appropriate the use of detailed urban design criteria to achieve specific urban environments.												
TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Uses/ Rights permitted only with written consent of the local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
			Buildings/uses not in columns 1-3			80%	90%	3.0	4.0	6		
Butchery											3 parking bays/100m² floor area	1 space per 1000m² of GFLA
Beauty Parlor											3 parking bays/100m² floor area	
Dwelling Unit(s)				250du/ha	350du/ha					-	1 parking per dwelling unit, and an additional parking per 3 units for visitors	1 space per 10 dwelling units
Flats				250du/ha	350du/ha						1 space per dwelling unit and 1 space per 3 units for visitors	2 spaces per 1000m² gross leasable floor area, or part thereof.
Conference Centre											1 parking per 6 seats	2 spaces per 1000m² gross leasable floor area, or part thereof
Dry Cleaner											3 spaces per 100m² floor area	1 space per 1000m² gross leasable floor area, or part thereof
	Government use										3 spaces per 100m² office floor area and 6 spaces per 100m² public floor area and 1 space per 4 seats	1 space per 1000m² gross leasable floor area, or part thereof
		Craft Production									3 spaces per 100m² leasable floor area	1 space per 100m² leasable floor area

TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Uses/ Rights permitted only with written consent of the local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
Hair Salon/Beauty Parlor											3 spaces per 100m² floor area	1 space per 1000m² gross leasable floor area, or part thereof
			Hardware Store								3 spaces per 100m² floor area	1 space per 1000m² gross leasable floor area, or part thereof
Hotel				250rooms/ha	350rooms/ha						1 space per room and 6 spaces per 100m² public floor area or 6 spaces per 100 m² conference area	2 spaces per 1000m² gross leasable floor area, or part thereof
Boutique Hotel											1 space per room and 6 spaces per 100 m² public area	2 spaces per 1000 m² gross leasable floor area, or part thereof
Medical Suites											3 spaces per 100m² floor area	1 space per 1000m² gross leasable floor area, or part thereof
Offices											3 per 100m² parking gross leasable area or 4 per 100m² parking gross leasable area for medical purposes	2 spaces per 1000m² gross leasable floor area, or part thereof
	Place of education/Instruction										3 spaces per 100m² 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.
Place of refreshment											1 space per 4 seats and 3 spaces per 100m² public floor area	2 spaces per 1000m² gross leasable floor area, or part thereof
Restaurant											3 spaces per 100m² gross leasable floor area	2 spaces per 1000m² gross leasable floor area, or part thereof
		Place of Public Worship									1 parking per 6 seats	2 spaces per 1000m² gross leasable floor area, or part thereof
Retail Shop											3 spaces per 100m² gross leasable floor area	1 space per 1000m² gross leasable floor area, or part thereof
Social Hall											1 parking per 6 seats	1 space per 1000m² gross leasable floor area, or part thereof
Shop											4 per 100 m² gross leasable floor area	2 spaces per 1000m² gross leasable floor area, or part thereof
Student Accommodation				350 Student Accommodation Rooms/ha	750 Student Accommodation Rooms/ha						1 space per 5 rooms	1 drop-off zone per 1000m² gross leasable floor area or part thereof

TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Uses/ Rights permitted only with written consent of the local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
Vehicle sales market											3 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof
Private Club											4 per 100m ² parking gross leasable area	2 spaces per 1000m ² parking gross leasable area, or part thereof
Showrooms											4 per 100m ² gross leasable floor area	2 spaces per 1000m ² parking gross leasable area, or part thereof
Tea Garden											3 spaces per 100m ² floor area	2 spaces per 1000m ² parking gross leasable area, or part thereof
		Car Wash									4 spaces per 100m ² area or part thereof	1 space per 1000 m ² gross leasable floor area, or part thereof
Parking Garage											80% of property reserved for parking and loading requirements	
Tavern											1 space per 4 seats and 3 spaces per 100m ² public floor area	1 space per 1000m ² gross leasable floor area, or part thereof
Multi-purpose Centre											1 parking per 6 seats	1 space per 1000m ² gross leasable floor area, or part thereof
Gymnasium											3 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof
Motor Trade											3 spaces per 100m ² gross leasable floor area	1 space per 1000m ² gross leasable floor area, or part thereof
Information Centrnr											1 parking bay per 50m ² gross floor area	1 space per 1000m ² gross leasable floor area, or part thereof
	Helipad										Not applicable	Not applicable
		Auction Centre									80% of property reserved for parking and loading	

TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Uses/ Rights permitted only with written consent of the local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
		Back packer inn									1 space for every 5 beds	1 space per 1000m² gross leasable floor area, or part thereof
Place of amusement											1 space per 4 seats and 6 spaces per 100m² public floor area	2 spaces per 1000m² gross leasable floor area, or part thereof
		Canteen									2 spaces per 100m² floor area	1 space per 1000m² gross leasable floor area, or part thereof
		Child day care centre									1 parking space per 6 seats	1 drop-off space for vehicles per 10 students
		Confectionery									3 spaces per 100m² floor area	2 spaces per 1000m² gross leasable floor area, or part thereof
		Crèche									1 parking space per 6 seats	1 space per 1000m² gross leasable floor area, or part thereof
		Gaming establishment									3 spaces per 100m² floor area and 1 space per 4 seats	1 space per 1000m² gross leasable floor area, or part thereof
		Launderette									3 spaces per 100m² floor area	1 space per 1000m² gross leasable floor area, or part thereof
		Lodge									1 space per guest room or suite and 6 spaces per 100m² public floor area	1 space per 1000m² floor area, or part thereof
		Nursery									1 space per room plus 3 spaces 100m² display floor area	2 spaces per 1000m² gross leasable floor area, or part thereof
Service retail											3 spaces per 100m² floor area	1 space per 1000m² gross leasable floor area, or part thereof
		Tourist facilities									3 spaces per 100m² floor area	1 space per 1000m² gross leasable floor area, or part thereof
		Traditional healing practice									3 spaces per 100m² floor area	Not applicable

TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Uses/ Rights permitted only with written consent of the local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
		Tuck shop									1 space for visitors	Not applicable
		Utility Service									As approved by the Municipality	As required by the Municipality
	Adult entertainment business										3 spaces per 100m ² public floor area	1 space per 1000m ² gross leasable floor area, or part thereof
	Animal Refuge										3 spaces per 100m ² floor area	1 space per 1000 m ² gross leasable floor area, or part thereof
	Bulk retail trade										3 spaces per 100m ² floor area	2 spaces per 1000m ² gross leasable floor area, or part thereof
Filling Station											4 spaces/100m ² GLFA for workshop 6 spaces/100m ² GLFA for shop 3 spaces per ATM	1 space per 1000m ² GLFA
General Dealer											3 spaces per 100m ² floor area	1 space per 1000m ² gross
	Fuelling Facility											1 space per 1000m ² GLFA
	Laboratory										3 spaces per 100m ² floor area	2 spaces per 1000m ² gross leasable floor area, or part thereof
	Recycling Centre										3 spaces per 100m ² floor area	2 spaces per 1000m ² gross leasable floor area, or part thereof
	Telecommunication infrastructure										Not applicable	
	Veterinary clinic										3 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof
	Liquor Enterprise										4 per 1000m ² parking gross leasable area or 1 per 6 seats	1 space per 1000 m ² gross leasable floor area, or part thereof
	Motor Dealership										3 spaces per 100m ² floor area	1 space per 1000 m ² gross leasable floor area, or part thereof
Public Garage											4 per 100m ² parking gross leasable area	1 space per 1000 m ² gross leasable floor area, or part thereof
Hospital											1 space per bed 3 spaces per first 100m ² for office and 6 parking spaces per 100m ² consulting rooms	2 spaces per 1000m ² floor area, or part thereof

Zone Number 3			Use Zone: BUSINESS 2									
R=255, G=120, B=100												
Statement of Intent												
A zone that accommodates a range of business uses opting to locate along main transport routes that radiate outwards from the urban core. A zone that provides an appropriate scale and mix of business uses to fulfil an interface between high impact and low impact land use zones.												
Objectives												
- To provide an interface or transitional area between central business district foci and residential areas. - To accommodate low impact mixed use areas in locations where the residential amenity of the area is not unduly disrupted. - To ensure that a balance between the natural and built environment is maintained through landscaping and areas of green space. - To encourage, where appropriate the use of detailed urban design criteria to achieve specific urban environments and mix of uses.												
TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
			Buildings/uses not in columns 1-3			60%	70%	1.8	2.0	4		
Butchery											3 parking bays per 100m² gross leasable floor area	1 space per 1000m² GLA
Dwelling Unit(s)				150units/ha	250units/ha						1 parking per dwelling unit, and an additional parking per 3 units for visitors	1 space per 10 dwelling units
Medical Suites											6 spaces per 100m² floor area	1 space per 1000m² gross leasable floor area, or part thereof
Offices											3 per 100m² parking gross leasable area or 4 per 100m² parking gross leasable area for medical purposes	2 spaces per 1000m² gross leasable floor area, or part thereof
Beauty Parlor											3 parking bays per 100m² gross leasable floor area	
Place of refreshment											1 space per 4 seats and 3 spaces per 100m² public floor area	1 space per 1000m² gross leasable floor area, or part thereof
			Hardware Store								3 spaces/100m² of leasable floor area	1 space per 1000m² gross leasable floor area, or part thereof
Shop											4 per 100 m² gross leasable floor area	2 spaces per 1000m² gross leasable floor area, or part thereof

TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
Restaurant											3 spaces per 100m ² gross leasable floor area	2 spaces per 1000m ² gross leasable floor area, or part thereof
Retail Shop											3 spaces per 100m ² gross leasable floor area	1 space per 1000m ² gross leasable floor area, or part thereof
Liquor Enterprise											4 per 100m ² parking gross leasable area or 1 per 6 seats	1 Space per 1000m ² gross leasable floor area, or part thereof
Motor Dealership											4 spaces per 100m ² floor area	1 Space per 1000m ² gross leasable floor area, or part thereof
Shopping centre											4 spaces per 100 m ² floor area Shopping center: Neighbourhood (<5000 m ²) = 6 spaces per 100 m ² GLA Community (5000 – 15 000 m ²) = 7 spaces per 100 m ² GLA Regional (> 15 000 m ²) = 5 spaces per 100 m ² GLA	2 spaces per 1000m ² floor area, or part thereof
Motor Repair Garage											4 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof
		Confectionery									3 spaces per 100m ² floor area	2 spaces per 1000m ² gross leasable floor area, or part thereof
Private Club											4 spaces per 100m ² parking gross leasable area	2 per 1000m ² parking gross leasable area
Service Industry											3 spaces per 100m ² floor area	1 Space per 1000 m ² gross leasable floor area, or part thereof
Showrooms											4 spaces per 100m ² floor area	2 per 1000m ² parking gross leasable area
Student Accommodation				250 Student Accommodation Rooms/ha	500 Student Accommodation Rooms/ha						1 space per 5 rooms	1 drop-off space for buses per 1000m ² gross leasable floor area, or part thereof

TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
Tea Garden											3 spaces per 100m ² floor area	2 per 1000m ² parking gross leasable area
Tavern											1 space per 4 seats and 3 spaces per 100m ² public floor area	1 space per 1000m ² gross leasable floor area, or part thereof
Car Wash											4 spaces per 100m ² area or part thereof	1 space per 1000m ² gross leasable floor area, or part thereof
General Dealer											3 spaces per 100m ² floor area	1 space per 1000m ² gross
Gymnasium											3 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof
Filling Station											4 spaces per 100m ² of GLFA for the shop 3 bays per ATM	1 space per 1000m ² GLFA
Hotel											1 space per room and 6 spaces per 100m ² public floor area or 6 spaces per 100 m ² conference area	2 spaces per 1000m ² gross leasable floor area, or part thereof
Boutique Hotel											1 space per room and 6 spaces per 100 m ² public area	2 spaces per 1000 m ² floor area, or part thereof
Motor Trade											3 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof
Craft production		Craft Production									3 parking spaces per 100m ² floor area	2 spaces per 1000m ² gross leasable floor area, or part thereof
	Helipad											
		Back packer inn									1 space for every 5 beds	1 space per 1000m ² gross leasable floor area, or part thereof
		Child day care centre									1 parking space per 6 seats	1 drop-off space for vehicles per 10 students
Conference Centre											1 parking space per 6 seats	2 spaces per 1000m ² gross leasable floor area, or part thereof
		Crèche									1 parking space per 6 seats	1 drop-off space for vehicles per 10 students

TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
		Government use									3 spaces per 100m ² office floor area and 4 spaces per 100m ² public floor area	1 space per 1000m ² gross leasable floor area, or part thereof
	Hospital										1 space per bed 3 spaces per first 100m ² per office and 6 parking spaces per 100m ² consulting rooms,	2 spaces per 1000m ² floor area, or part thereof
		Institution									3 spaces per 100m ² floor area and 1 space per 4 seats	1 space per 1000m ² floor area, or part thereof
		Lodge									1 space per guest room or suite and 6 spaces per 100m ² public floor area	1 space per 1000m ² gross leasable floor area, or part thereof
	Place of education/ Instruction										1 parking space per 6 seats	1 drop-off space for buses per 100 students
		Place of public worship									1 parking space per 6 seats	2 spaces per 1000m ² gross leasable floor area, or part thereof
		Social hall									1 parking space per 6 seats	1 space per 1000m ² gross leasable floor area, or part thereof
		Tourist facilities									3 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof
		Public Garage									4 per 100m ² parking gross leasable area	1 space per 1000m ² gross leasable floor area, or part thereof
		Place of amusement									4 per 100m ² parking gross leasable area	1 space per 1000m ² gross leasable floor area, or part thereof
	Laboratory										3 spaces per 100m ² floor per area	1 space per 1000m ² gross leasable floor area, or part thereof
	Laundrette										3 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof

TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
		Mobile dwelling unit									1 parking per dwelling unit, and an additional parking per 3 units for visitors	1 space per 10 dwelling units
	Telecommunication infrastructure										Not applicable	
Traditional healing practice											3 spaces per 100m ² floor area	Not applicable
		Tuck shop									1 parking bay per facility	Not applicable
	Utility service										As approved by the Municipality	
	Veterinary clinic										3 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof
	Wholesale trade										3 spaces per 100m ² floor area and 3 spaces per 100m ² office floor area	2 spaces per 1000m ² gross leasable floor area, or part thereof

Zone Number 4			Use Zone: BUSINESS 3									
R=255, G=190, B=170												
Statement of Intent												
A zone that promotes the development of neighbourhood centres by permitting mixed land uses for the convenience of the surrounding communities.												
Objectives												
- To provide for the development of neighbourhood shopping centres and corner shops, as they occur within a suburban context or on the fringes of mixed use, industrial and residential zones. - To ensure that the spatial development and sustained functioning of the neighbourhood centres is supported by appropriate levels of transportation and pedestrian access ways.												
TABLE "A"				TABLE "B"						TABLE "C"		
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
			Buildings/uses not in columns 1-3			50%	60%	1.0	1.4	3		
Butchery											3 spaces per 100m ² leasable floor area	1 space per 1000m ² of leasable floor area
Dwelling Unit(s)				50 units/ha	150 units/ha						1 parking per dwelling unit, and an additional parking per 3 units for visitors	1 space per 10 dwelling units
Medical Suites											3 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof
Beauty Parlor											3 spaces per 100m ² floor area	
Retail Shops											3 spaces per 100m ² gross leasable floor area	1 space per 1000m ² gross leasable floor area, or part thereof
Offices											3 per 100m ² parking gross leasable area or 4 per 100m ² parking gross leasable area for medical purposes	2 spaces per 1000m ² gross leasable floor area, or part thereof
Place of refreshment											1 space per 4 seats and 6 spaces per 100m ² public floor area	2 spaces per 1000m ² gross leasable floor area, or part thereof
Drive-through Restaurant											1 space per 4 seats and 3 spaces per 100m ² public floor area	2 spaces per 1000m ² gross leasable floor area, or part thereof
Gymnasium											3 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof

TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
Tavern											1 space per 4 seats and 3 spaces per 100m ² public floor area	1 space per 1000m ² gross leasable floor area, or part thereof
	Helipad											
	Place of Public Worship										1 parking space per 6 seats	1 space per 1000m ² gross leasable floor area, or part thereof
	Place of Education/Instruction										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.
	Place of Amusement										1 space per 4 seats and 6 spaces per 100m ² public gross leasable floor area	2 spaces per 1000m ² gross leasable floor area, or part thereof
	Social Hall										1 parking space per 6 seats	1 space per 1000m ² gross leasable floor area, or part thereof
	Public Garage										4 spaces/100m ² GLFA for workshop 3 spaces/100m ² for shop 3 spaces/100m ATM	2 spaces per 1000m ² of GLFA
	Filling Station										4 spaces/100m ² GLFA for workshop 3 spaces/100m ² for shop 3 spaces/100m ATM	2 spaces per 1000m ² of GLFA
	Service Industry										3 spaces per 100m ² gross leasable floor area	1 space per 1000m ² gross leasable floor area, or part thereof
		Dry Cleaner									3 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof
		Canteen									2 spaces per 100m ² floor per area	1 space per 1000m ² gross leasable floor area, or part thereof
		Child day care centre									1 space per 6 seats	1 drop-off space for vehicles per 10 students
		Confectionery									3 spaces per 100m ² floor area	2 spaces per 1000m ² gross leasable floor area, or part thereof

TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
		Crèche									1 space per 6 seats	1 drop-off space for vehicles per 10 students
		Hotel									1 space per room and 6 spaces per 100m ² public floor area/ conference area	2 spaces per 1000m ² gross leasable floor area, or part thereof
		Boutique Hotel									1 space per room and 6 spaces per 100 m ² public area or 6 spaces per 100 m ² for conference area	2 spaces per 1000m ² gross leasable floor area, or part thereof
		Institution									3 spaces per 100m ² floor area and 1 space per 4 seats	1 space per 1000m ² gross leasable floor area, or part thereof
		Laundrette									3 spaces per 100m ² floor per area	1 space per 1000m ² gross leasable floor area, or part thereof
		Lodge									1 space per guest room or suite and 6 spaces per 100m ² public floor area	1 space per 1000m ² gross leasable floor area, or part thereof
	Retirement Village										1 covered space per unit and 1 uncovered space per 2 units for visitors	1 space per 1000m ² gross leasable floor area, or part thereof
		Service retail									3 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof
		Social Hall									1 space per 6 seats	1 space per 1000m ² gross leasable floor area, or part thereof
	Telecommunication Infrastructure										Not applicable	
		Veterinary clinic									3 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof

Zone Number 5				Use Zone: EDUCATIONAL								
R=0, G=120, B=230												
Statement of Intent												
Provides for the use of land or buildings primarily for instruction or teaching purposes, including crèches, schools, lecture halls, monasteries, public libraries, art galleries, museums, colleges, technikons and universities with associated buildings, recreational and sports facilities for the local and broader community.												
Objectives												
- To ensure that there is an adequate range and provision of all educational facilities in appropriate and accessible locations, which are convenient to all users. - To provide adequate educational facilities to address the special needs of the physical or mentally challenged children and adults. - To ensure that sports fields are properly maintained and to encourage the shared use thereof.												
TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
			Buildings/uses not in columns 1-3	Not applicable	Not applicable	40%	50%	0.6	0.75	6		
Place of Education/Instruction											3 spaces per 100m² 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.
		Dwelling Unit(s) related to main use									1 parking per dwelling unit, and an additional parking per 3 units for visitors	1 space per 10 dwelling units
Place of public worship											1 parking space per 6 seats	2 spaces per 1000m² gross leasable floor area, or part thereof
Social Hall											1 parking space per 6 seats	1 space per 1000m² gross leasable floor area, or part thereof
Student Accommodation				250 Student Accommodation Rooms/ha	500 Student Accommodation Rooms/ha	70%	80%	2.0	3.0	6	1 space per 5 rooms	1 drop-off space for buses per 1000m² gross leasable floor area, or part thereof
Private Open Space											3 spaces per 100m² sport, recreation or play area	Not applicable
Child Day Care Centre											1 parking space per 6 seats	1 drop-off space for vehicles per 10 children
		Conference Centre									1 parking space per 6 seats	2 spaces per 1000m² gross leasable floor area, or part thereof

TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
Crèche											1 parking space per 6 seats	1 drop-off space for vehicles per 10 children
		Institution									4 spaces per 100m ² floor area and 1 space per 4 seats	1 space per 1000m ² gross leasable floor area, or part thereof
Sport and Recreational Grounds related to the main use											1 space per 4 seats and 3 spaces per 100m ² public floor area.	1 space per 1000m ² gross leasable floor area, or part thereof
Laboratory											3 spaces per 100m ² floor per area	2 spaces per 1000m ² gross leasable floor area, or part thereof
	Telecommunication Infrastructure										Not applicable	
	Utility Service										As required by the Municipality	

Zone Number 6				Use Zone: GOVERNMENT/MUNICIPAL								
R=150, G=150, B=150												
Statement of Intent												
The provision for and use of land and buildings by national government, provincial government or a Municipality to give effect to its governance role including military establishments, police stations, magistrate’s courts, prisons etc.												
Objectives												
- To provide adequate land for government purposes to serve in the interest of the general public												
TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
			Uses not in columns 1-3	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		
Government Use (RSA)/Municipal											4 spaces per 100m² office floor area and 6 spaces per 100m² public floor area and 1 space per 4 seats.	1 space per 1000m² gross leasable floor area, or part thereof
Social Hall											1 parking space per 6 seats	1 space per 1000m² gross leasable floor area, or part thereof
Sewer purification plant											As required by the Municipality	
Substation											As required by the Municipality	
Utility service											As required by the Municipality	
Camping Site											1 space per tent or caravan or mobile dwelling unit site and 4.5 spaces per 100m² office floor area and 1 space per 4 seats and 6 spaces per 100m² place of refreshment public floor area and 6 spaces per 100m² retail floor area	1 space per 1000m² place of refreshment or retail gross leasable floor area, or part thereof
Cemetery											Not applicable	Not applicable
Public Open Space											3 spaces per 100m² sport, recreation or play area	Not applicable
Sports and Recreational grounds											1 space per 4 seats and 2 spaces per 100m² public floor area.	1 space per 1000m² gross leasable floor area, or part thereof

TABLE "A"				TABLE "B"						TABLE "C"		
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
Institution											4 spaces per 100m² floor area and 1 space per 4 seats	1 space per 1000m² gross leasable floor area, or part thereof
Prison											4 spaces per 100m² office floor area and 1 space per 10 holding cells	2 spaces per 1000m² gross leasable floor area, or part thereof
Crematorium											3 spaces per 100m² floor area	1 space per 1000m² gross leasable floor area, or part thereof
Information Center												
		Agricultural buildings									1 space per 100m² floor area and 3 spaces per 100m² office floor area	2 spaces per 1000m² gross leasable floor area, or part thereof
		Dwelling unit(s) related to the main use									1 parking per dwelling unit, and an additional parking per 3 units for visitors	1 space per 10 dwelling units
		Place of Education/Instruction									3 spaces per 100m² 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
		Place of public worship									1 parking space per 6 seats	2 spaces per 1000m² gross leasable floor area, or part thereof
Showgrounds											1 space per 4 seats and 4 spaces per 100m² public floor area.	1 space per 1000m² gross leasable floor area, or part thereof
Sports Facilities											1 parking per 4 seats and 3 per 100m² gross leasable floor area	Not applicable
Taxi rank and bus rank											As approved by the Municipality	As required by the Municipality
	Telecommunication Infrastructure										Not applicable	

Zone Number 7				Use Zone: INDUSTRIAL 1								
R=128, G=0, B=128												
Statement of Intent												
A zone which accommodates a mix of industrial and related land uses and activities, which have lesser environmental impacts and excludes heavy and noxious industries.												
Objectives												
- To provide appropriate locations for a range of industrial, warehousing and related activities in specific areas. - To ensure that the location of industrial development is such that it minimizes their impacts on surrounding areas. - To provide a proper balance of employment and sectoral growth and sustainable development. - To ensure that there is sufficient on-site space to accommodate the proposed uses, traffic and any potential impact resulting from these developments. - To ensure that the location and development of these sites do not negatively impact on the natural environment or watercourses located near them.												
TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
			Noxious industries	As approved by the Municipality	As approved by the Municipality	80%	90%	1.2	2.0	2		
Laboratory											3 spaces per 100m ² floor area	2 spaces per 1000m ² gross leasable floor area, or part thereof
Warehousing and packaging											1 space per 100m ² floor area and 3 spaces per 100m ² office floor area	2 spaces per 1000m ² gross leasable floor area, or part thereof
Wholesale trade											1 space per 100m ² floor area and 3 spaces per 100m ² office floor area	2 spaces per 1000m ² gross leasable floor area, or part thereof
Public garage											4 per 100m ² parking gross leasable area	1 space per 1000m ² gross leasable floor area, or part thereof
Service industry											3 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof
Hardware Store											3 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof
Gas Depot/ Gas Station											3 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof

TABLE "A"				TABLE "B"						TABLE "C"		
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
Workshop											3 spaces per 100m² floor area	1 space per 1000 m² gross leasable floor area, or part thereof
Bakery											3 spaces per 100m² leasable floor area	1 space per 1000m² gross leasable floor area, or part thereof
		Canteen									2 spaces per 100m² floor per area	1 space per 1000m² gross leasable floor area, or part thereof
Dry cleaner											3 spaces per 100m² floor area	2 spaces per 1000m² gross leasable floor area, or part thereof
Car wash											4 spaces per 100m² floor area or part thereof	1 space per 1000m² gross leasable floor area, or part thereof
Craft production											3 parking spaces per 100m² floor area	2 spaces per 1000m² gross leasable floor area, or part thereof
	Recycling Centre										3 spaces per 100m² floor area	2 spaces per 1000m² gross leasable floor area, or part thereof
Confectionery											3 spaces per 100m² floor area	2 spaces per 1000m² gross leasable floor area, or part thereof
Factory Shop											3 spaces per 100m² floor area	2 spaces per 1000m² gross leasable floor area, or part thereof
		Government Use									4 spaces per 100m² office floor area and 6 spaces per 100m² public floor area and 1 space per 4 seats	1 space per 1000m² gross leasable floor area, or part thereof
		Gymnasium									3 spaces per 100m² floor area	1 space per 1000m² gross leasable floor area, or part thereof

TABLE "A"				TABLE "B"						TABLE "C"		
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
Laundrette											3 spaces per 100m² floor per area	1 space per 1000m² gross leasable floor area, or part thereof
Mortuary											3 spaces per 100m² floor area	1 space per 1000m² gross leasable floor area, or part thereof
		Place of amusement									1 space per 6 spaces per 100m² public floor area	2 spaces per 1000m² gross leasable floor area, or part thereof
		Place of refreshment									1 space per 4 seats and 3 spaces per 100m² public floor area	2 spaces per 1000m² gross leasable floor area, or part or part thereof
Service Retail											3 spaces per 100m² floor area	1 space per 1000m² gross leasable floor area, or part thereof
		Utility service									As required by the Municipality	
		Veterinary Clinic									3 spaces per 100m² floor area	1 space per 1000m² gross leasable floor area, or part thereof
	Scrapyard										3 spaces per 100m² floor area	2 spaces per 1000m² gross leasable floor area, or part thereof
Panel beater											4 per 100m² parking gross leasable area for industry & 2 per 100m² parking gross leasable area for offices	2 spaces per 1000m² gross leasable floor area, or part thereof
Builders yard											40% of property reserved for parking and loading requirements	
	Adult entertainment business										4 spaces per 100m² public floor area	1 space per 1000m² gross leasable floor area, or part or part thereof
	Animal refuge										3 spaces per 100m² floor area.	1 space per 1000m² gross leasable floor area, or part thereof
	Auction Centre										40% of property reserved for parking and loading requirements	

TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
Brick Yard											40% of property reserved for parking and loading requirements	
Bulk retail trade											3 spaces per 100m² floor area	2 spaces per 1000m² gross leasable floor area, or part thereof
Filling station											6 parking spaces per 100m² retail gross leasable floor area 3 spaces per 100m² for offices and 3 spaces per ATM	2 spaces per 1000m² gross leasable floor area, or part thereof
Fuelling Facility											40% of property reserved for parking and loading requirements.	
Heavy vehicle parking depot											40% of property or site reserved for parking and loading requirements	
Office											3 spaces per 100m² floor area	2 spaces per 1000m² gross leasable floor area, or part thereof
		Private Open Space									3 spaces per 100m² sport, recreation or play area	Not applicable
		Retail Shop									3 spaces per 100m² gross leasable floor area	1 space per 1000m² gross leasable floor area, or part thereof
	Telecommunication infrastructure										Not applicable	
		Vehicle Sales Market									3 spaces per 100m² floor area	1 space per 1000m² gross leasable floor area, or part thereof
	Gaming establishment										4 spaces per 100m² floor area and 1 space per 4 seats	1 space per 1000m² gross leasable floor area, or part thereof
Funeral Parlour											3 spaces per 100m² floor area	1 space per 1000m² gross leasable floor area, or part thereof

Zone Number 8				Use Zone: INDUSTRIAL 2								
R=191, G=64, B=191												
Statement of Intent												
A zone to contain those industrial uses which by their nature have high levels of air, water, and noise pollution and associated heavy traffic.												
Objectives												
- To direct the appropriate development of high impact industrial uses to specific locations, which are able to accommodate their requirements and minimize their impacts on surrounding uses. - To ensure that the location of these industries is near to emergency services to redress potential hazards and the pollution of air, land or water courses due to accident or other actions. - To ensure that the location and development of these sites do not negatively impact on the natural environment or watercourses located near them.												
TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net to hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
			Uses not listed in Columns 1-3	Not applicable	Not applicable	50%	60%	1	1.2	3		
Noxious Industry											1 space per 100m ² floor area and 3 spaces per 100m ² office floor area	2 spaces per 1000m ² gross leasable floor area, or part thereof
Warehousing and packaging											1 space per 100m ² floor area and 3 spaces per 100m ² office gross leasable floor area	2 spaces per 1000m ² gross leasable floor area, or part thereof
Panel beater											4 per 100m ² parking gross leasable area for industry & 2 per 100m ² gross leasable area for offices	2 spaces per 1000m ² gross leasable floor area, or part thereof
Service industry											3 spaces per 100m ² Gross floor area	1 space per 1000m ² gross leasable floor area, or part thereof
Showrooms											4 spaces per 100m ² floor area	2 spaces per 1000m ² parking gross leasable area, or part thereof
Workshop											3 spaces per 100m ² gross leasable floor area	2 spaces per 1000m ² gross leasable floor area, or part thereof
Bakery											1 space per 100m ² Gross floor area	2 spaces per 1000m ² gross leasable floor area, or part thereof
Dry Cleaner											3 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof

TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net to hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
Scrap Yard											3 spaces per 100m² floor area	2 spaces per 1000m² gross leasable floor area, or part thereof
Gas Depot/ Gas Station											3 spaces per 100m² of leasable floor area	1 space per 1000m² gross leasable floor area, or part thereof
Builders Yard											40% of property reserved for parking and loading requirements	
Abattoir											3 spaces per 100m² of leasable floor area or part thereof	2 spaces per 1000m² gross leasable floor area, or part thereof
Animal Refuge											3 spaces per 100m² floor area.	1 space per 1000 m² gross leasable floor area, or part thereof
Auction centre											40% of property reserved for parking and loading requirements	
Bulk retail trade											3 spaces per 100m² floor area	2 spaces per 1000m² gross leasable floor area, or part thereof
		Canteen									2 spaces per 100m² floor per area	1 space per 1000m² gross leasable floor area, or part thereof
Coal Yard											4 spaces per 100m² of leasable floor area	2 spaces per 1000m² gross leasable floor area, or part thereof
Factory Shop											3 spaces per 100m² floor area	2 spaces per first 1000m² gross leasable floor area, or part thereof
Filling station											3 parking spaces per 100m² retail gross leasable floor area, 2 spaces per 100m² of office space and 3 spaces per ATM	2 spaces per first 1000m² gross leasable floor area, or part thereof
Fuelling Facility											4 spaces/100m² of GLFA 3 spaces/ATM	2 spaces per first 1000m² gross leasable floor area, or part thereof

TABLE "A"				TABLE "B"						TABLE "C"		
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net to hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
Heavy vehicle parking depot											80% of property or site reserved for parking and loading requirements	
Laboratory											3 spaces per 100m² floor per area	2 spaces per 1000m² gross leasable floor area, or part thereof
Mortuary											3 spaces per 100m floor area	1 space per 1000m² gross leasable floor area, or part thereof
		Truck Stop									80% of property or site reserved for parking	
Saw Mill											3 spaces per 100m² floor area	2 spaces per 1000m² floor are, or part thereof
Recycling Centre											3 spaces per 100m² floor area	1 space per 1000m² gross leasable floor area, or part thereof
Wood Yard											40% of property reserved for parking and loading requirements	
Brickyard											40% of property reserved for parking and loading requirements	
Grinding Mill												
		Parking Garage									80% of property reserved for parking and loading requirements	
		Veterinary Clinic									3 spaces per 100m² floor area	1 space per 1000m² gross leasable floor area, or part thereof
	Service Retail										3 spaces per 100m² floor area	1 space per 1000m² gross leasable floor area, or part thereof
	Telecommunication Infrastructure										Not applicable	Not applicable
		Utility Service									As required by the Municipality	Not applicable
		Public Garage									4 per 100m² parking gross leasable area	1 Space per 1000 m² gross leasable floor area, or part thereof

Zone Number 9				Use Zone: INSTITUTIONAL								
R=100, G=230, B=255												
Statement of Intent												
The provision for and development of land and buildings for charitable institutions, hospitals, nursing homes, old-age homes, clinics, medical centres, sanatoriums, community halls, either public or private.												
Objectives												
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. To ensure that the health and social services requirements and facilities are located in core, suburban and residential locations that are conveniently accessible to all people. To ensure that such facilities are designed to address the special needs of the physically challenged, elderly, woman and children.												
TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
			Buildings/uses not in columns 1-3	Not applicable	Not applicable	70%	80%	1.0	1.2	4		
Institutions											3 spaces per 100m ² floor area and 1 space per 4 seats	1 space per 1000m ² gross leasable floor area, or part thereof
Place of education/ instruction											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
Place of public worship											1 parking space per 6 seats	2 spaces per 1000m ² gross leasable floor area, or part thereof
Sports facilities											1 parking per 4 seats and 3 per 100m ² gross leasable floor area	Not applicable
Child Day Care Centre											1 space for every 4 seats	Not applicable
Crèche											1 parking space per 6 seats	1 drop-off space for vehicles per 10 students
Social Hall											1 parking space per 6 seats	1 space per 1000m ² gross leasable floor area, or part thereof
Hospital											1 space per bed and 3 spaces per 100m ² per office and 6 parking spaces per 100m ² consulting rooms	2 spaces per 1000m ² gross leasable floor area, or part thereof
Sport and Recreational Grounds											1 space per 4 seats and 6 spaces per 100m ² public floor area.	1 space per 1000m ² gross leasable floor area, or part thereof
		Dwelling unit(s) related to the main use									1 parking per dwelling unit, and an additional parking per 3 units for visitors	1 space per 5 dwelling units

TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
		Places of Refreshment									1 space per 4 seats and 3 spaces per 100m ² gross leasable area	2 spaces per 1000m ² gross leasable floor area, or part thereof
		Gymnasium									3 spaces per 100m ² leasable floor area	1 space per 1000m ² gross leasable floor area, or part thereof
	Helipad										Not applicable	Not applicable
Laboratory											3 spaces per 100m ² floor area	2 spaces per 1000m ² gross leasable floor area, or part thereof
	Retail Shop										3 spaces per 100m ² gross leasable floor area	1 space per 1000m ² gross leasable floor area, or part thereof
	Telecommunication Infrastructure										Not applicable	
	Utility service										As required by the Municipality	
	Place of Amusement										4 spaces per 100m ² gross leasable floor area	Not applicable

Zone Number 10			Use Zone: QUARRYING AND MINING									
R=153, G=102, B=051												
Statement of Intent												
This zone comprises land used for the extraction of minerals or materials, including sand and stone, in compliance with a permit from Department Mineral and Energy Affairs.												
Objectives												
- 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.												
TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
			Buildings/uses not in columns 1-3	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		
Mining											As required by the Municipality	
		Canteen									2 spaces per 100m² floor per area	1 space per 1000m² gross leasable floor area, or part thereof
Offices related to, but subordinate to the main use											2 spaces per 100m² gross leasable floor area	2 spaces per 1000m² gross leasable floor area, or part thereof
Public Garage											4 spaces per 100m² gross leasable area	1 space per 1000 m² gross leasable floor area, or part thereof
Nature conservation											Not applicable	Not applicable
Mine Dumps											As required by the Municipality	
Slime Dams											As required by the Municipality	
Quarrying Purposes											As required by the Municipality	
	Place of Instruction										2 spaces per 100m² 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.
Laboratory											3 spaces per 100m²gross leasable floor area	2 spaces per 1000m² gross leasable floor area, or part thereof

TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
		Taxi holding Area									As approved the Municipality	Not applicable
		Taxi rank and Bus Rank									As approved by the Municipality	As required by the Municipality
	Fuelling Facility										40% of property reserved for parking and loading requirements.	
	Airfield										3 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 1000m ² gross leasable floor area, or part thereof
	Industry										1 space per 100m ² floor area and 3 spaces per 100m ² office gross leasable floor area.	2 spaces per 1000m ² gross leasable floor area, or part thereof
	Noxious Industry										1 space per 100m ² floor area and 3 spaces per 100m ² office floor area	2 spaces per 1000m ² gross leasable floor area, or part thereof
	Telecommunication infrastructure										Not applicable	
	Utility service										As required by the Municipality	

Zone Number 11			Use Zone: OPEN SPACE									
R=150, G=255, B=150												
Statement of Intent												
A zone that provides for the development and management of publicly and privately owned open spaces as part of an integrated open space system, including independent or linked open space areas and 'green lung' areas. The provision of land for passive and active recreational activities and may include ancillary facilities and buildings.												
- 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, woman, 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 ecological corridor linkages between open areas for passive recreational purposes.												
TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Requirements	Loading Requirements
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
			Buildings/uses not in columns 1-3	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		
Open Space											3 spaces per 100m ² sport, recreation or play area	Not applicable
Botanical Garden											1 parking space per 1000m ² of garden area	Not applicable
Camping Site											1 space per tent or caravan or mobile dwelling unit site and 4 spaces per 100m ² office floor area and 1 space per 4 seats and 4 spaces per 100m ² place of refreshment public floor area and 4 spaces per 100m ² retail floor area	1 space per 1000m ² place of refreshment or retail gross leasable floor area, or part thereof
Sport and Recreational Grounds											1 space per 4 seats and 6 spaces per 100m ² public floor area.	1 space per 1000m ² gross leasable floor area, or part thereof
Cultural Heritage Site											As approved by the Municipality	As required by the Municipality
Environmental Facilities											4 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof

TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Requirements	Loading Requirements
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
Ecological Support Area											As approved by the Municipality	As required by the Municipality
	Telecommunication infrastructure										Not applicable	
	Zoological Garden										6 spaces per hectare uncovered exhibition floor area and 4 spaces per 100m² covered exhibition gross leasable floor area	1 space per 1000m² covered or uncovered gross leasable floor area, or part thereof
	Showgrounds										1 space per 4 seats and 4 spaces per 100m² public floor area.	1 space per 1000m² gross leasable floor area, or part thereof
	Resort										1 space per room and 4 spaces per 100m² public floor area	1 space per 1000m² gross leasable floor area, or part thereof
Park											As approved by the Municipality	

Zone Number 12		Use Zone: PROTECTED AREAS (ENVIRONMENTAL CONSERVATION)										
R=0, G=153, B=0												
Statement of Intent												
Areas that provide environmental and recreational services that are essential to the sustainable development of cities, towns and settlements. These include areas requiring preservation and conservation against undesirable land use change or human activity.												
Objectives												
- To protect and conserve the natural environment and natural processes for their historic, scientific, landscape, biodiversity, habitat, or cultural value. - To provide facilities which assist in public education and the integration of built and the natural environments with minimal degradation of the natural environment or natural processes. - To create a holistic framework where culturally significant and historical sites are accorded equal status and value along with new developments. - To ensure the sustainable provision of ecosystem services to the community.												
TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
	As approved by the Local Municipality in line with the Environmental Legislative Controls	As approved by the Municipality	Buildings/uses not in columns 1-3	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		
All declared National, Provincial and Private Nature Reserves											As approved by the Municipality	
All protected areas											As approved by the Municipality	
Game reserves											As approved by the Municipality	
Conservancy											As approved by the Municipality	
Sensitive environments											As approved by the Municipality	
	Harvesting of natural resources										Not applicable	Not applicable
	Game Lodge										3 spaces per 100m² floor area and 1 space per room or suite	1 space per 1000m² gross leasable floor area, or part thereof

Zone Number 13				Use Zone: UTILITIES AND SERVICES								
R=0, G=0, B=0												
Statement of Intent												
Land, buildings, structures or infrastructure required and used for the provision of water, sewer, waste disposal, storm water or electricity engineering and associated services for the proper functioning of urban development.												
Objectives												

Zone Number 14				Use Zone: RESIDENTIAL 1								
R=255, G=255, B=183												
Statement of Intent												
The use of land for residential purposes constituting erven with single dwelling houses. The density is low, amenity high and compatible land uses limited and located at strategic places.												
Objectives												
- To provide adequate land for residential purposes at a low density. - To create integrated, safe and sustainable residential environments for all communities. - To protect the residential use and amenity by limiting the compatible uses allowed in this zone.												
TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
			Buildings/uses not in columns 1-3	1 per erf	1 per 250m²	50%	60%	1.0	1.5	2		
Dwelling House											Not applicable	Not applicable
		Household Enterprise/Occupation									2 spaces per 100m² gross leasable	Not applicable
	Bed and Breakfast										1 space per room	Not applicable
	Beauty Parlor										3 spaces per 100m² leasable floor area	Not applicable
		Second dwelling unit		120m², including garage							1 parking per dwelling unit, and an additional parking per 3 units for visitors	Not applicable
	Duette										1 parking per dwelling unit	Not applicable
		Granny flat									1 space per unit	Not applicable
	Back-packer Inn										1 space for every 5 beds	Not applicable
	Child day care centre										1 space for every 4 seats	1 drop-off space for vehicles per 10 children

TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
	Crèche										1 parking space per 6 seats	1 drop-off space for vehicles per 10 children
	Guest house										1 parking space per room/suite and 1 parking space for every 3 rooms/suits	1 space per 1000m ² gross leasable floor area, or part thereof
		Home Occupation									3 parking spaces	Not applicable
		Mobile dwelling unit									1 space per mobile dwelling unit	Not applicable
	Retirement Village										1 covered space per unit and 1 uncovered space per 2 units for visitors	1 space per 1000m ² gross leasable floor area, or part thereof
	Traditional Healing Practice										3 spaces per 100m ² floor area	Not applicable
	Telecommunication mast										As required by the Municipality	
		Car Wash									4 spaces per 100m ² area or part thereof	Not applicable
	Tavern										1 space per 4 seats and 3 spaces per 100m ² public floor area	1 space per 1000m ² gross leasable floor area, or part thereof
		Spaza									1 space per 100m ² of floor area	Not applicable

Zone Number 15				Use Zone: RESIDENTIAL 2								
R=255, G=255, B=000												
Statement of Intent												
The use of land for medium-density residential purposes, which typically includes group housing, townhouses, duets, etc. This zone is associated with a marginal increase in number of ancillary land uses.												
Objectives												
- To provide adequate land for medium-density housing. - To attend to aesthetics, architectural design and the facing of buildings in order to promote privacy. - To allow for additional public spaces, social services and places for recreational activities for medium-density residential developments warrant access to such facilities.												
TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
			Buildings/uses not in columns 1-3			60%	70%	1.2	1.5	3		
Dwelling unit(s)				150du/ha	250du/ha						1 parking per dwelling unit, and an additional parking per 3 units for visitors	1 space per 10 dwelling units
Group Housing											1 covered space per dwelling unit and 1 uncovered space per 3 dwelling units	1 space per 10 dwelling units
Hotel				150rooms/ha	250rooms/ha						1 space per room and 6 spaces per 100m² public floor area/conference area	2 spaces per 1000m² gross leasable floor area, or part thereof
Boutique Hotel											1 space per room and 6 spaces per 100 m² public floor area	2 spaces per 1000m² floor area, or part thereof
Guest house											1 parking space per room/suite	1 space per 1000m² gross leasable floor area, or part thereof
		Tea Garden									3 spaces per 100m² floor area	1 per 1000m² gross leasable floor area
	Beauty Parlor										3 spaces per 100m² floor area	Not applicable
Residential buildings				150rooms/ha	250rooms/ha						1 space per 3 rooms	1 space per 1000m² gross leasable floor area, or part thereof
Overnight accommodation											1 space per room plus 3 per 100 m² public floor area	1 space per 1000m² gross leasable floor area, or part thereof

TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
Hostel											1 space per room	Not applicable
Boarding house											1 space per room	Not applicable
Student accommodation				250 Student Accommodation Rooms/ha	500 Student Accommodation Rooms/ha						1 space per 5 rooms	1 drop-off per 1000m² of gross leasable floor area
		Back-packer Inn									1 space for every 5 beds	1 space per 1000m² gross leasable floor area, or part thereof
		Child day care centre									1 space for every 4 seats	1 drop-off space for vehicles per 10 children
	Crèche										1 space per 6 seats	1 drop-off space for vehicles per 10 children
Lodge											1 space per guest room/suite and 6 spaces per 100m² public floor area	1 space per 1000m² gross leasable floor area, or part thereof
		Mobile dwelling unit									40% of property reserved for parking and loading requirements 1 space per mobile dwelling unit	Not applicable
	Place of Education/Instruction										2 spaces per 100m² 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
	Place of public worship										1 space per 6 seats	2 spaces per 1000m² gross leasable floor area, or part thereof
	Social Hall										1 space per 6 seats	1 space per 1000m² gross leasable floor area, or part thereof
	Tavern										1 space per 4 seats and 3 spaces per 100m² public floor area	1 space per 1000m² gross leasable floor area, or part thereof
	Traditional Healing Practice										3 spaces per 100m² floor area	Not applicable
	Telecommunication mast										As required by the Municipality	
	Utility service										As required by the Municipality	

Zone Number 16				Use Zone: RESIDENTIAL 3								
R=255, G=185, B=000												
Statement of Intent												
This zone provides for medium to higher density residential developments, which typically includes dwellings that go up e.g. to take “walk-up” forms. These type developments generally occur in or around development nodes and areas where residential densification is envisaged.												
Objectives												

TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
		Guest house									1 parking space per room/suite and 1 parking space for every 3 rooms/suits for visitors	1 space per 1000m ² gross leasable floor area, or part
Hotel				50 rooms/ha	150 rooms/ha						1 space per room and 6 spaces per 100m ² public gross leasable floor area or 6 spaces per 100 m ² conference area	2 spaces per 1000m ² gross leasable floor area, or part thereof
Boutique Hotel											1 space per room and 6 spaces per 100 m ² public floor area	2 spaces per 1000m ² gross leasable floor area, or part thereof
	Institution										1 parking space per bed or 6 spaces per 100m ² floor area and 1 space per 4 seats	1 space per 1000m ² gross leasable floor area, or part thereof
Lodge											1 space per guest room or suite and 6 spaces per 100m ² public floor area	1 space per 1000m ² gross leasable floor area, or part thereof
	Place of Education/Instruction										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.
	Place of public worship										1 space per 6 seats	2 spaces per 1000m ² gross leasable floor area, or part thereof
Retirement Village											1 covered space per unit and 1 uncovered space per 2 units for visitors	1 space per 1000m ² gross leasable floor area, or part thereof
	Social Hall										1 space per 6 seats	1 space per 1000m ² gross leasable floor area, or part thereof
	Tavern										1 space per 4 seats and 3 spaces per 100m ² public floor area	1 space per 1000m ² gross leasable floor area, or part thereof
	Traditional healing practice										3 spaces per 100m ² floor area	Not applicable
		Tuck Shop									1 space per 100m ² gross leasable area	Not applicable
	Telecommunication mast										As required by the Municipality	
	Utility service										As required by the Municipality	
Student Accommodation				150 Student Accommodation Rooms/ha	350 Student Accommodation Rooms/ha						1 space per 5 rooms	1 space per 1000m ² gross leasable floor area, or part thereof

Zone Number 17				Use Zone: ROADS								
R=0, G=0, B=0												
Statement of Intent												
The provision of land for the full range of road infrastructure within rural and urban areas to ensure that an optimal road transport network can be constructed and maintained, including proposed new roads and widenings.												
Objectives												
- To make provision for freeways, toll roads, major arterial roads, and minor roads to accommodate vehicular traffic. - To make provision for the activities and buildings associated with road construction and maintenance, e.g. toll booths, construction camps and road depot sites. - To ensure that road depots and road fill sites are operated and maintained with due cognizance to the environmental impacts they may have on surrounding areas.												
TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
				Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable		
Private Road												
Public Road												

Zone Number 18				Use Zone: RURAL RESIDENTIAL								
R=196, G=188, B=150												
Statement of Intent												
This zone provides for holdings and farms with residential being the primary land use and small-scale agriculture as secondary land use.												
Objectives												
- To create the opportunity for people to avail them of a semi-rural style of living and yet be proximate to the full range of physical and social services which are available in the adjacent urban areas. - To allow only a limited number of ancillary uses so as to protect the primary low-density residential or agricultural land use. - To ensure that urban agricultural activities are undertaken in a sustainable manner and in accordance with the relevant environmental principles.												
TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
			Buildings/uses not in columns 1-3	1 per net hectare and a minimum erf size of 2500m²	As approved by the Municipality	30%	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	2		
Dwelling House											At least 1 space	Not applicable
		Agriculture									Not applicable	Not applicable
Eco Estate											As approved by the Municipality	As approved by the Municipality
		Second dwelling unit*		120m², including garage							1 parking per dwelling unit, and an additional parking per 3 units for visitors	Not applicable
		Child day care centre									1 space per 6 seats	1 drop-off space for vehicles per 10 students
	Crèche										1 space per 6 seats	1 drop-off space for vehicles per 10 children

TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
	Garden Service Establishment										3 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof
		Guest house									1 parking space per room/suite and 1 parking space for every 3 rooms/suits for visitors	1 space per 1000m ² gross leasable floor area, or part thereof
		Home Occupation									3 parking spaces	Not applicable
		Nursery									2 per 100m ² parking gross leasable area	2 spaces per 1000m ² gross leasable floor area, or part thereof
		Retirement Village									1 covered space per unit and 1 uncovered space per 2 units for visitors	1 space per 1000m ² gross leasable floor area, or part thereof
	Utility service										As required by the Municipality	Not applicable
	Veterinary Clinic										3 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof
	Telecommunication infrastructure										Not applicable	Not applicable
	Tavern										1 space per 4 seats and 3 spaces per 100m ² public floor area	1 space per 1000m ² gross leasable floor area, or part thereof
		Spaza									1 per spaza	Not applicable

Zone Number 19				Use Zone: SPECIAL									
R=210, G=170, B=230													
Statement of Intent													
Uses not defined or provided for under any other use zone as per the Scheme.													
Objectives													
- A special zone is to provide for activities and land uses under special circumstances e.g. security and access control infrastructure etc.													
TABLE "A"				TABLE "B"						Max Height	TABLE "C"	Parking Spaces	Loading Spaces
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.					
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation				
1	2	3	4	5	6	7	8	9	10	11	12	13	
Uses not defined or provided for under any other use zone as per the relevant annexure	-	-	-	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	As approved by the Municipality	

Zone Number 20				Use Zone: TRANSPORTATION SERVICES								
R=210, G=210, B=210												
Statement of Intent												
This zone makes provision for developments and buildings associated with public and private transportation services and include intermedial transfer stations, bus and taxi termini, railway stations, airports, petro-ports, truck stops and other depots.												
Objectives												
- To ensure that transportation service developments serve the national, provincial and local economy and provide the correct levels of service to both tourists and the broader community. - To locate these strategic developments such that they provide the catalyst for local economic development. - To ensure that the location and development of these sites are undertaken in accordance with EIA requirements and ongoing environmental management monitoring procedures.												
TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
				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		
Public and Private Streets												
Airfield			Buildings/uses not in columns 1-3								2 spaces for the 100m ² gross leasable floor area or part thereof	2 spaces per 1000m ² gross leasable floor area, or part thereof
Airport											2 spaces for the 100m ² floor area or part thereof	2 spaces per 1000m ² gross leasable floor area, or part thereof
		Heliport									4 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 1000m ² gross leasable floor area, or part thereof
Taxi rank and bus rank											As approved by the Municipality	As required by the Municipality
Railway station											4 spaces per 100m ² office floor area, 1 space per 100m ² repair facility	1 space per 1000m ² gross leasable floor area, or part thereof
		Heavy vehicle parking depot									40% of property or site reserved for parking and loading requirements	
		Parking Garage									40% of property reserved for parking and loading requirements	
		Truck Stop									80% of property reserved for parking and loading requirements and 6 spaces per 100m ² retail gross leasable floor area.	
	Filling Station										4 spaces/100m ² GLFA for workshop 6 spaces/100m ² GLFA for shop 3 spaces per ATM	1 space per 1000m ² GLFA
	Petro-port										4 spaces/100m ² GLFA for workshop 6 spaces/100m ² GLFA for shop 3 spaces per ATM	1 space per 1000m ² GLFA

Zone Number 21			Use Zone: TOURISM AND ACCOMMODATION									
R=0, G=153, B=0												
Statement of Intent												
This is a zone that manages the use of land for eco-tourism or nature based tourism development. The main focus is on accommodation in the form of lodges, bush camps, cultural villages and bed and breakfast establishments within a rural setting.												
Objectives												
- To provide opportunities for the development of the tourism sector, inclusive of tourism facilities, recreation and accommodation. - To provide for "lifestyle" or investment type recreational ownership such as share block Schemes, multi ownership reserves and eco-estates, excludes golf estates. - To ensure that the underlying agricultural potential of the land is protected.												
TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
			Buildings/uses not in columns 1-3	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		
Agriculture											Not applicable	Not applicable
Agricultural buildings											1 space per 100m² floor area and 3 spaces per 100m² office floor area	2 spaces per 1000m² gross leasable floor area, or part thereof
Nature Reserve											As approved by the Municipality	
Camping Site											1 space per tent or caravan or mobile dwelling unit site and 4 spaces per 100m² office floor area and 1 space per 4 seats and 6 spaces per 100m² place of refreshment public floor area and 6 spaces per 100m² retail floor area	1 space per 1000m² place of refreshment or retail gross leasable floor area, or part thereof
Resort											1 space per room and 4 spaces per 100m² public floor area	1 space per 1000m² gross leasable floor area, or part thereof
Lodge											1 space per guest room or suite and 6 spaces per 100m² public floor area	1 space per 1000m² gross leasable floor area, or part thereof
Back-packer inn											1 space for every 5 beds	1 space per 1000m² gross leasable floor area, or part thereof
Bed and Breakfast											1 space per room	1 space per 1000m² gross leasable floor area, or part thereof

TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
Tourist facilities											3 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof
Caravan Park											1 space per caravan stand and 2 spaces per 100m ² of leasable floor area	2 per 1000m ² parking per gross leasable area
Riding stables											0.7 spaces per stable	1 space per 1000m ² gross leasable floor area, or part thereof
Cultural Heritage Site											Not applicable	Not applicable
Botanical Garden											1 parking space per every 100m ²	Not applicable
Game Lodge											3 spaces per 100m ² floor area and 1 space per suite or room	1 space per 1000m ² gross leasable floor area, or part thereof
4X4 Trail											As approved by the Municipality	
Private Open space											3 spaces per 100m ² sport, recreation or play area	Not applicable
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 1000m ² gross leasable floor area, or part thereof
Information Center											3 spaces per 100m ² of leasable floor area	Not applicable
Helipad											4 spaces per 100m ² of office floor area and 1 space per aircraft storage unit	Not applicable
Heliport											4 spaces per 100m ² of office floor area and 1 space per aircraft storage unit	Not applicable
	Dwelling unit(s)										1 parking per dwelling unit, and an additional parking per 3 units for visitors	1 space per 10 dwelling units
	Environmental Facilities										3 spaces per 100m ² floor area	1 space per 1000m ² gross leasable floor area, or part thereof

TABLE "A"				TABLE "B"							TABLE "C"	
Permitted Use	Uses/Rights permitted only with the Special Consent of the Local Municipality (Clause 39)	Use/ Rights permitted only with Written Consent of the Local Municipality (Clause 40)	Prohibited Use	Number of dwelling units per erf or per net hectare		Maximum coverage as % of erf		Maximum F.A.R.		Max Height	Parking Spaces	Loading Spaces
				Existing right	Relaxation	Existing right	Relaxation	Existing right	Relaxation			
1	2	3	4	5	6	7	8	9	10	11	12	13
	Fuelling facility										40% of property reserved for parking and loading requirements	
	Mobile dwelling unit										1 per mobile dwelling unit	Not applicable
	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.
	Taxi rank and bus rank										As approved by the Municipality	As required by the Municipality
	Telecommunication infrastructure										Not applicable	
	Zoological garden						Nnnnnnn,,	n			3 spaces per hectare uncovered exhibition floor area and 4 spaces per 100m ² covered exhibition floor area	1 space per 1000m ² covered or uncovered gross leasable floor area, or part thereof

PART V – SPECIFIC CONDITIONS AND DEVELOPMENT CRITERIA APPLICABLE TO USE ZONES
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24. Conditions applicable to erven in the Residential 1 Zone of the Scheme

24.1 Where application is made for the subdivision of an erf zoned "Residential 1" into two or more portions (hereafter referred to as "resultant erf or erven") in terms of Section 65 of the Thulamela By-law on Spatial Planning and Land Use Management, 2016, or any superseding legislative provision, such application shall not be granted if, as a result of such subdivision, any resultant erf will:

- (a) Fall short of the minimum extent specified in an adopted policy of the Municipality, as may be amended from time to time; and
- (b) Have no vehicular access to a public street or access servitude to the satisfaction of the Municipality.

24.2 Where the subdivision of an erf is approved, such subdivision shall be subject to the following conditions in addition to any conditions imposed by the decision-making authority:

24.2.1 The resultant erf shall have an acceptable configuration and sufficient street frontage to allow vehicular access; or if such resultant erf is an erf with a panhandle, then:

- (a) The panhandle shall provide access from a street to the panhandle portion;
- (b) The panhandle shall be not less than 3m wide along its entire length and not wider than 8m, except with the Written Permission of the Municipality;
- (c) The area of the panhandle portion, excluding the panhandle, shall be in accordance with the minimum erf extent requirements of this Scheme;
- (d) The slope of the panhandle shall not exceed 1:8 Provided that the Municipality may grant permission to deviate from this requirement in special circumstances;
- (e) A panhandle shall provide access only to the erf of which it forms a part, as well as a property in favour of which a servitude of right of way has been registered over the panhandle, except where the Municipality determines otherwise;
- (f) The registered owner of the panhandle portion shall, at own expense, pave the panhandle to the satisfaction of the Municipality prior to, or simultaneously with, the erection of any building on the erf, and such paved panhandle access shall thereafter be maintained dust free to the satisfaction of the Municipality;
- (g) The registered owner of the panhandle portion shall, when required by the Municipality, erect screen walls or appropriate fencing or barriers along the boundaries of the panhandle to the satisfaction of the Municipality; and
- (h) No buildings or structures shall be erected in the panhandle access.

24.3 The requisite minimum street frontage or width of a panhandle access to a resultant erf may be varied to the satisfaction of the Municipality on condition that:

- (a) A servitude of right of way to a public street, to the satisfaction of the Municipality, is registered in favour of such resultant erf;
- (b) Such servitude shall have a width of not less than 3.0m and not more than 8.0m; and
- (c) The boundaries of such servitude shall be deemed to be a side or rear boundary of the erf over which it is registered.

24.4 Where any portion of a "Residential 1" erf is physically severed from such erf owing to the execution of municipal or similar works or where a portion of the erf stands to be severed by the proposed execution of such works, the portion so severed shall be deemed to be a separate erf and a dwelling-house may be erected thereon or an existing dwelling-house may be retained thereon: Provided that the extent and configuration of such erf, in relation to the surrounding erven, is to the satisfaction of the Municipality.

24.5 Where a "Residential 1" erf has a density of "One dwelling-house per erf", as indicated in this Scheme, then such erf shall not be subdivided until the density stipulation of the Scheme is appropriately amended.

24.6 "Residential 1" erven are further subject to the conditions listed in Schedule 1.

25. Conditions applicable to erven in the Residential 2 and 3 Zones of the Scheme

25.1 The internal driveways or paths on the property shall be constructed and maintained by the owner as required by the Municipality.

25.2 The erf or any group of erven shall not be subdivided by creating portions with detached or semidetached dwelling units thereon, before full implementation of the proposals embodied in the approved Site Development Plan relating to the particular erf or group of erven have been fully implemented or the Municipality granting Written Consent thereto. If it is not the intention to develop the whole of the erf or any group of erven simultaneously, the grouping of the dwelling units and programming of the development must be shown clearly on the Site Development Plan.

25.3 The Municipality may, when considering an application for a change in land use or when considering a Site Development Plan in respect of such erven, require the owner to erect a wall of 1.8m or any other height the Municipality may deem appropriate in order to improve privacy of an adjacent property and the overall aesthetic quality of any development.

25.4 No construction may commence without the prior approval of a Site Development Plan by the Municipality, and subject to whatever conditions may be imposed in terms of such approval.

25.5 Residential 2 erven are further subject to the conditions listed in Schedule 2.

25.6 Residential 3 erven are further subject to the conditions listed in Schedule 3.

26. Conditions applicable to Public Garage and Filling Station Sites

26.1 No material or equipment of any nature whatsoever shall be stored or stacked to a height exceeding the height of the screen wall: Provided that the Municipality may relax this condition if, in the opinion of the Municipality, it shall not be detrimental to the general amenity of the neighbourhood.

26.2 No repairs of any nature to vehicles or equipment shall be effected outside the garage building, except in an area which is screened to the satisfaction of the Municipality for that purpose: Provided that the Municipality may grant its Written Consent to relax this condition where the erf is situated within, adjacent to, or surrounded by, industrial uses.

26.3 No material or equipment of any nature shall be stored or stacked outside the garage building except in an area which is screened to the satisfaction of the Municipality for that purpose: Provided that fuel pumps or oil and fuel installations may be sited outside the building to the satisfaction of the Municipality: Provided further that the Municipality may grant its Written Consent to relax this condition where the erf is situated within, adjacent to or surrounded by industrial uses.

26.4 Canopies over fuel pump installations are not regarded as part of Coverage but shall be considered as Floor Area in terms of this Scheme.

26.5 No person may develop a Filling Station/Public Garage without complying with the requirements of the National Environmental Management Act, 1998 (Act No. 107 of 1998) as amended from time to time and without observing the requirements relating to listed activities as well as the authorisation from the Limpopo Department of Economic Development, Environment and Tourism.

27. Conditions applicable to Play and Recreation Area in Residential Complexes

27.1 Where a residential complex is developed at a density greater than 20 units per hectare, the developer shall make available at least 12.5m² per dwelling unit for play and recreation areas.

27.2 The play and recreation areas shall have physical characteristics and locations which render them readily usable for appropriate recreational purposes, and their locations shall be selected with a view to minimize hazards from vehicular traffic and to maximize security.

- 27.3** The recreation areas shall incorporate landscaping and shall be properly maintained by the owners, Body Corporate or similar body. The areas shall accommodate children's play apparatus.
- 27.4** No such area may be smaller than 250m² and shall provide for level areas to promote children's games.

28. Conditions applicable to Additional Dwelling Units on Farms/Agricultural Holdings

- 28.1** The applicant will be responsible for the cancellation of any restrictive title conditions, or excision of the holding, if applicable.
- 28.2** Proof of sufficient potable household water shall be provided for each dwelling unit, with a minimum of 1500 litres per day, prior to the approval of building plans.
- 28.3** Proof of the sustainability of boreholes must be provided, if used as source for household water prior to the approval of building plans and boreholes should be registered with the Department of Water and Sanitation.
- 28.4** Septic tanks and French drains must be built according to engineering standards and the Department of Water and Sanitation specifications. The building control office should be engaged to confirm commencement of building.
- 28.5** Approval of building plans prior to the construction of the additional dwelling unit(s).
- 28.6** Sufficient access to the additional dwelling unit must be provided.

29. Conditions applicable to the establishment of a Bed and Breakfast or Guesthouse

- 29.1** Application for Bed and Breakfast, Lodge or Guesthouse on a residential zoned property shall be made in terms of Clause 39.
- 29.2** The house be permanently occupied by the owner/manager of the Bed and Breakfast or Guesthouse.
- 29.3** Adequate parking be provided on the said property and the said parking spaces be indicated on the building plans for the proposed development.
- 29.4** Should food be served/sold on the premises, the kitchen facilities comply with the criteria for food handling as required by the Health Department and no refreshments be sold to the general public, in other word non-residents.

- 29.5** For a Bed and Breakfast a maximum of 5 rooms for a maximum of 10 occupants shall be permitted, although application may be made to the Municipality for a relaxation thereof;
- 29.6** For a Guesthouse a maximum of 8 rooms or a maximum of 16 occupants, shall be permitted in areas within the "Residential 1" zone.
- 29.7** The necessary license and certificate of acceptability must be obtained from the Health Department.
- 29.8** Should the amenity of the area be negatively influenced or, in the event of any justifiable complaints in connection with the mentioned Guesthouse, an approval granted in terms of Consent Use may be withdrawn.
- 29.9** All advertising signs must comply with the Thulamela Spatial Planning and Land Use Bylaws, 2016 for control of outdoor advertising.
- 29.10** Should it at any time come to the attention of the Municipality that the above conditions have been contravened, or the number of rooms do not coincide with the records, the Municipality will take the necessary legal action to rectify such illegal land uses and/or the consent use may be withdrawn.

30. Conditions applicable to the establishment of Child Day Care Facilities

- 30.1** Application for the establishment of play groups, day mothers services, afterschool care centres and preschools on "Residential" zoned properties for more than six children shall be lodged in terms of Clause 40.
- 30.2** A sign consisting of a 1.5m x 1.5m board, indicating the name of the pre-school, day mother, play group or after school care centre may be affixed to the boundary wall or fence or the entrance door, on or to a wall in the entrance hall of the building used for the pre-school, day mother, playgroup or after school care centre within a residential area, but only one sign per erf shall be permitted.
- 30.3** Demarcated, paved parking spaces and ancillary vehicle manoeuvring area, shall be provided to the satisfaction of the Municipality and in accordance with Table "C".
- 30.4** The required parking spaces must be provided on the property and no parking will be allowed on the road reserve of any public street or on public open spaces (parks). A site plan indicating the required parking spaces must be submitted with the consent use application.
- 30.5** The pre-school, day mother or after school care centre may operate between 6:00 and 17:00 on normal workdays only and the play groups may only operate between 7:00 and 13:00 on normal workdays.

- 30.6** Should the amenity of the area be negatively influenced, or in the event of any justifiable complaints in connection with the mentioned use, the consent will be withdrawn.
- 30.7** The necessary license or health certificate must be obtained annually from the Health Department (a health certificate / license must only be issued after the Municipality has approved the special consent use application).

31. Conditions applicable to the erection of Telecommunications Mast

- 31.1** The applicant shall submit an application in terms of Clause 39.
- 31.2** The Municipality will not accept any incomplete applications and will only consider applications that have all the required documentation.
- 31.3** All documents required will be listed as part of the departmental administrative procedure.
- 31.4** Proof of all the above must form part of the application submitted to Council and is the responsibility of the applicant.

32. Conditions applicable to areas where Water Courses occur

- 32.1** No physical development of any property where watercourses occur without the necessary authorization from the Department of Economic Development, Environment and Tourism (Limpopo Province) or its successor in title in respect of:
- (a) A wetland habitat;
 - (b) The 1:100 year flood line of a river or stream;
 - (c) The 32m buffer zone from the edge of a riparian zone of a river within the urban edge;
 - (d) The 100m buffer zone from the edge of a riparian zone of a river outside the urban edge;
 - (e) The 30m buffer zone from the outer edge of the temporary zone of a wetland or dam within the urban edge; and
 - (f) The 50m buffer zone from the outer edge of the temporary zone of a wetland or dam outside the urban edge.
- 32.2** No development shall take place within a hydromorphic grassland.
- 32.3** A buffer zone, determined by a specialist acceptable to the Municipality, shall be created between the wetland and any proposed development.
- 32.4** The control and eradication of exotic and invasive species shall be implemented within wetland systems by the owner of such property.

33. Conditions applicable to High Biodiversity Areas

33.1 An application submitted on areas within high to medium 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 Environmental Management Maps shall be submitted to the Department of Economic Development, Environment and Tourism (Limpopo Province) or its successor in title for evaluation and commenting purposes.

33.2 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 Environmental Management maps shall be subject to the following information if required by the Department of Economic Development, Environment and Tourism (Limpopo Province) or its successor in title:

- (a) A full ecological investigation in which functional and compositional aspects are dealt with; and
- (b) An alien and invasive vegetation investigation as stated in Section 64 of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) 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; and
 - iv. Status report on efficiency of previous control methods and future eradication measures.

33.3 In addition to the requirements set out in applicable Clause, development within an area of high hyper diversity, as indicated in the Environmental maps, shall be subject to the following information if required by the Department of Economic Development, Environment and Tourism (Limpopo Province) or its successor in title:

- (a) The area within which the habitat type occurs shall be zoned as a potential conservation and protection area;
- (b) Identification of taxon species lists;
- (c) Identification of which taxon (organism group- fauna, mammals, flora, avifauna, Lepidoptera, aquatic fauna) exhibits high or medium to high biodiversity;
- (d) A specialist within the field of the identified taxon must execute a full investigation on the taxon – including the identification of possible/ current threats and perceived impacts of the development on the species in the taxon;
- (e) For a taxon with a low confidence level, a full investigation should be performed; and
- (f) If any species of high conservation status is recorded in the area, a full Red Data assessment will be required.

34. Conditions applicable to the establishment of Student Accommodation

- 34.1** Student accommodation establishments may be established in a residential zone with a maximum of 8 students by way of a consent from the Municipality. Any student accommodation establishments which exceeds the maximum number of students must be located in a medium to high density area in accordance to the Spatial Development Framework.
- 34.2** Applications will be assessed on the basis of the following factors:
- (a) desirability of the contemplated utilisation of the land concerned;
 - (b) applicable legislation;
 - (c) effects on the existing rights;
 - (d) the safety and welfare of the community; and
 - (e) the preservation of the natural and developed environment.
- 34.3** Student accommodation establishments intending to accommodate more than 12 students will not be permitted in the Residential 1 and 2 Zones of the Scheme.
- 34.4** Rezoning to Business 1 should be permitted only along the designated corridor and within the CBD, specifically for the purpose of developing student accommodation.
- 34.5** The Municipality may withdraw any land use right (consent use granted) if any breach of approval or conditions of approval, in the opinion of the Municipality, taken place.
- 34.6** The caretaker of the property must reside on the premises permanently.
- 34.7** No person may operate a student accommodation establishment on any premises unless he/she has complied with all applicable legislation:
- (a) The National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977) where buildings constructed on the premises must comply with this Act and its regulations;
 - (b) Spatial Planning and land Use Management Act, 2013 (Act No. 16 of 2013);
 - (c) Higher Education Act, 1997 (Act No. 101 of 1997);
 - (d) Thulamela Spatial Planning and Land Use Management By-Law, 2016;
 - (e) Thulamela Building Regulations By-laws;
 - (f) Thulamela Integrated Urban Development Framework (IUDF);
 - (g) The Land Use Scheme with specific reference to Parking, Floor Area Ratio, Coverage and Zoning, number of rooms, and with the Outdoor Advertising Bylaws with reference to signage;
 - (h) Necessary license and certificates of compliance, must be obtained from the Department of Health, Fire, Labour or other relevant Departments.
- 34.8** The property shall at all times be kept and maintained in a good condition and no waste of any kind shall be allowed to accumulate therein, to the extent that the Local

Authority shall at all times be satisfied that the state of the property is not detrimental to the amenity of the area.

34.9 That the Site Development Plan be submitted to the Thulamela Local Municipality together with the application for the student accommodation establishment. The minimum design standards as per the policy on the minimum norms and standards for student housing at public universities as Gazetted on 29 September 2015 shall be adhered to.

34.10 Outbuildings may be used as caretaker's living area and / or office, on condition that the office use must be subservient, ancillary and subordinate to the main use. Outbuilding should include Kiosk/Tuck-shop.

34.11 All meals and refreshments should be served exclusively to resident students and no public bar and adult entertainment will be allowed on the premises. No refreshments may be sold to non-residents.

34.12 Parking shall be provided in the ratio of 1 parking space per 5 rooms.

34.13 A drop-off zone/s for on and off-loading of student and for public transport facilities shall be provided on the property, subject to any further conditions which the Municipality may require in addition to parking requirement set out in Table 2 of the land use tables.

34.14 Student Accommodation Rooms shall meet the following minimum sizes:

A single Student Accommodation Room shall not be less than 8m² in size; and
double Student Accommodation Room shall not be less than 14m².

34.15 A minimum of 4m² of open space per student and 150m² of commercial open space per 50 rooms shall be provided on-site.

35. Conditions governing a Household Enterprise / Occupation

35.1 In addition to any conditions imposed by the Municipality in the granting of a special or written consent, the exercise of a household enterprise/occupation, from a dwelling unit, shall be subject to the following:

- (a) No title condition applicable to the property may be transgressed;
- (b) The Applicant may practice his occupation in any trade form subject thereto that he/she/they is in charge of the enterprise and holds the majority interest in the business;
- (c) A maximum of 20% of the gross floor area of the dwelling-unit may be used for the purpose, provided that, without the permission of the Municipality, such area shall not exceed 75m²;

- (d) Should more than the prescribed number of persons be accommodated on the premises where the household enterprise is conducted or, if more than 20% of the dwelling unit, outbuildings excluded, or more than the maximum floor area of 75m², is to be used for the household enterprise, the Special Consent of the Municipality must be obtained in terms of Clause 39;
- (e) For the purposes of this Clause, an agent or representative of the applicant will be considered an employee of such Applicant;
- (f) Parking is to be provided to the satisfaction of the Municipality in accordance with Table "B";
- (g) No notice or sign except such notice or sign as is normally displayed at the dwelling unit, to reflect the name of the applicant and the nature of the household enterprise, may be displayed provided that the size of such notice shall not exceed 600mm by 450mm; and
- (h) No goods may be displayed in public, in a window, or in any other manner.

35.2 In respect of a Child Day Care facility, where a maximum of ten (10) pre-school children are cared for:

- (a) The health and safety requirements of the Municipality shall be complied with;
- (b) No activities shall be conducted on weekdays after 17:30, or on Saturdays, Sundays or public holidays; and
- (c) A screen wall serving as acoustic barrier not exceeding a height of 1.8m, shall be erected on the property boundary, where the play area abuts the living-room(s) of an adjoining dwelling unit, to the satisfaction of the Municipality.

35.3 One parking space per 25m² or portion thereof of the area referred to in Condition 35.1(f) hereof shall be provided on the property.

35.4 Only in the case of a dwelling-house on property zoned "Residential 1" "Rural Residential" or "Agricultural"; may a maximum of three persons be employed, whether on the property or off the property.

35.5 Noxious Industries and Industries are not permitted.

35.6 No disturbance or pollution through noise, odour, dust, radio-activity, gases, vibrations or other offensive condition, which results in inconvenience to the public, is permitted. Any waste, especially medical waste, shall comply with the Municipality's requirements for the temporary storage and removal from the property.

35.7 The following uses shall not be permitted in any dwelling unit:

35.7.1 Animal boarding place; bank agency; blasting contractor; builder's yard/storage of building equipment, building contractor's business, building society agency; butcher; call centre; escort agency; firefighting enterprise/service; funeral parlour; hiring and selling of vehicles; institution; (other) light industries; manufacturing of concrete

products; medical rescue and/or paramedic emergency rescue service; micro- lender; motor workshop; packaging contractor; panel-beater; parcel delivery service and/or courier service; pet salon; place of amusement; place of child care for more than 10 children; place of instruction for more than ten persons; tavern, restaurant; transport depot; radio control/telephone exchange; shooting range; spray-painter; taxi business; tow-in service; travel agency; vehicle tracking agent/enterprise; veterinary hospital; and visitors' information bureau.

36. Conditions applicable to Protected Areas

36.1 The objectives of Protected Areas, is as set out in the National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003) (NEMPAA) are:

(a) To protect:

- i. Areas of biodiversity importance that contains a viable, representative sample of South Africa's natural systems, scenic areas or cultural heritage sites;
- ii. the ecological integrity of one or more ecosystems in the area;

(b) prevent exploitation or occupation inconsistent with the protection of the ecological integrity of the area;

(c) provide spiritual, scientific, educational, recreational and tourism opportunities which are environmentally compatible; and

(d) contribute to economic development, where feasible;

(e) for the management of protected areas in accordance with NEMPAA and its associated policies and norms and standards;

(f) for the continued existence, governance and functions of the Protected Area within the integrated landscape.

36.2 Activities permitted under Protected Areas are in accordance with the declaration under NEMPAA Section 18; 20; 23; 28 and within full recognition of NEMPAA Chapter 4, Part 4, and as further informed by the particular area's NEMPAA compliant and MEC or Minister approved Management Plan.

36.3 Activities permitted with formal approval is approved activities in accordance with declaration under NEMPAA Section 18; 20; 23; 28 and within full recognition of NEMPAA Chapter 4, Part 4, and as further informed by the particular area's NEMPAA compliant and MEC or Minister approved Management Plan, and in consultation with Thulamela Local Municipality and Limpopo Tourism Agency or Department of Environmental Affair;

36.4 Activities not permitted as in accordance with declaration under NEMPAA Section 18; 20; 23; 28 and within full recognition of NEMPAA Chapter 4, Part 4, and as further informed by the particular area's NEMPAA compliant and MEC or Minister approved Management Plan;

36.5 Additional controls:

- (a) All land use activities not reflected in the relevant Protected Area Management Plan or NEMPAA and its associated Strategies or Gazetted Government Notices should be referred back to the Protected Area's Management Authority for consideration;
- (b) If a MEC/Minister signed off, NEMPAA compliant, Management Plan is not in place, Thulamela Local Municipality can, at their discretion, practice full land use administration rights, as mandated under SPLUMA;
- (c) All land uses and associated activities are fully subject to all other environmental legislation and considerations;
- (d) Thulamela Local Municipality needs to comment when any land use changes or new developments occur, as mandated entity under SPLUMA; and
- (e) Building Plans need to be submitted and approved by the Thulamela Local Municipality.

37. Conditions applicable to Land Use Applications in Rural Areas

- 37.1** 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 Bylaw.
- 37.2** All documents required will be listed as part of the departmental administrative procedure.
- 37.3** The application must be accompanied by:
- (a) A Tribal Resolution from the responsible Tribal Council recorded by the Department of Land Reform and Rural Development (DLRRD);
 - (b) Proof of a decision taken by the majority of the community members who will be affected by such development who were 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 may be disposed of as a result of such high intensity development;
- 37.4** An applicant who wishes to develop on or change the land use on communal land located in the area of jurisdiction of a Traditional Council where the use does not meet the threshold for high impact development, must apply to the Municipality in the manner provided for in the By-Law.

37.5 Where applicable, the applicant should submit the following:

- (a) Proof of consent from such owners of abutting properties as 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 attendance register signed off by a municipal official in attendance, of a public meeting held to consider the proposed development.

**PART VI – SPECIAL, WRITTEN AND TEMPORARY CONSENT OF THE
MUNICIPALITY**

38. Criteria for the Consideration of Applications including areas under Traditional Authorities, Farms and Informal Settlements

38.1 Subject to the provisions of Clauses 39, 40 and 41 hereof, the Municipality may, when application is made for its special, written or temporary consent in terms of this Scheme refuse or grant such consent subject to such conditions as it may think fit, with due consideration of:

- (a) The amenity of the area;
- (b) Health and safety of the area;
- (c) The character of other uses in the area;
- (d) The need and desirability of the use concerned;
- (e) Any relevant land-use management related policy of the Municipality, and
- (f) The Integrated Development Plan (IDP) and Spatial Development Framework (SDF) and any review thereof.

38.2 The Municipality may, upon the granting of any consent contemplated in Clauses 39 and 40 of this Scheme, impose conditions for approval as envisaged in Section 52 of the Thulamela Spatial Planning and Land Use Management By-law, 2016 and Section 43 of the Spatial Planning and Land Use Management Act (Act No. 16 of 2013) for which purposes the provisions of Chapter 7 of the Bylaw mutatis-mutandis apply.

39. Special Consent of the Municipality

39.1 The Provisions of Section 93 and 96 to 109 of the By-Law apply mutatis-mutandis to this section of the Scheme.

39.2 Any owner (hereinafter referred to as "the Applicant") intending to apply to the Municipality for consent for:

- (a) The erection and use of a building or for the use of land in any use zone, whether wholly or partially for any purposes which requires the special consent of the Municipality in terms of Table "A" Column 2; and
- (b) An increase in the density of an erf (see Table "B" Column 6 b)

Shall submit such application to the Municipality in writing, in the prescribed manner.

39.3 An application shall include a report to the Municipality, addressing the criteria referred to in Section 74 of the Bylaw, as well as particulars appearing in notices as set out in Clause 39.4 or any other relevant particulars which may be required by the Municipality.

39.4 The Applicant shall:

- (a) At his/her own expense publish a notice for two consecutive weeks in a local newspaper/s, in the area of the subject property and such notice shall be published in English as well as the official language predominantly spoken in the area;
- (b) Display the notice referred to in sub-clauses 39.4(a) and maintain same, for a period of not less than 30 consecutive days from date of first publication, in a conspicuous position, visible from the street on each separate portion of the land to which such consent will apply;
- (c) In the case of an application lodged on a property classified as "Rural Residential", if so required by the Municipality, display a notice referred to in sub-clauses 39.4(a) and maintain same, for a period of not less than 30 consecutive days from date of first publication, in a conspicuous position, at a local traditional authority office and the application site/ or any other public place as determined by the Municipality;
- (d) In the case of an application lodged in the "Agricultural" use zone, if so required by the Municipality, obtain the written comments of the adjacent land owners, or such other owners of land in the surrounding area as prescribed in Clause 40.4.1,
- (e) Circulate the application to any other person or body that may be required by the Municipality.

39.5 The notice referred to in Sub-clauses 39.4(a) - 39.4(d) shall:

- (a) Contain the name, physical address and contact details of the applicant;
- (b) Identify the land to which the application relates by giving the property description (erf number) and the physical address (street name and number);
- (c) State the intent and purpose of the application;
- (d) State that a copy of the application and supporting documentation will be available for viewing during the hours and at the place mentioned in the notice;
- (e) State the contact details of the relevant municipal employee;
- (f) Invite members of the public to submit written comments or objections together with the reasons therefor in respect of the application;
- (g) State in which manner comments or objections may be submitted;
- (h) state the date by when the comments or objections must be submitted which must not be less than 30 days from the date on which the notice was served;
- (i) state that any person who cannot write may during office hours attend at an address stated in the notice where a named staff member of the Municipality will assist that person to transcribe that person's objections or comments.

39.6 The notice in sub-clause 39.4(a)– 39.4(d) shall not be less than 594mm by 420mm (2 x A3) size and no letter thereon shall be less than 6mm in height.

39.7 An applicant shall, at his/her own expense, serve a notice to all registered owners of land abutting upon or sharing a common boundary with that land (specifically including any land which is only separated by a road), including a home owners

association, or else as determined by the Municipality, within 7 (seven) days after submitting the application to the Municipality, informing them of the application, to the satisfaction of the Municipality (refer to Section 93 of the Bylaw regarding serving of notices).

- 39.8** The applicant shall submit proof, including an affidavit in respect of the site notices, to the satisfaction of the Municipality that the provisions of sub-clause 39.4(a) and Clause 39.4(e) have been complied with.
- 39.9** The Municipality may require the applicant to additionally notify any additional stakeholders and interested parties deemed, in the discretion of the Municipality, to have an interest in the matter.
- 39.10** The Municipality shall consider and hear any objection or representation received within the aforementioned period of thirty (30) days, at a hearing arranged by the Municipality within a reasonable time period.
- 39.11** A reasonable time period referred to above shall be deemed to be 90 days calculated from the expiry of the objection period referred to in Clause 39.10 above.
- 39.12** Should any objection to, or representation against, the application be received by the Municipality, it shall set a time and place for the hearing of such objection or representation in a manner complying with the requirements of the administrative justice, and shall give written notice thereof, by registered post or by any electronic communication including email, at least 21 days prior to the hearing, to the applicant and/or his duly authorised agent and all objectors.
- 39.13** Where the objections or representations contemplated in Clause 39.10 of more than one person are contained in one document, it shall be deemed sufficient compliance with the provisions of Clause 39.12 if the person who has lodged the document or is a signatory thereto is notified as contemplated in the latter clause.
- 39.14** The Municipality shall after due consideration of any objections and the criteria stipulated in Clause 39.12 hereof, in writing notify the applicant and every person who has lodged an objection or had made representations, of such decision.
- 39.15** The decision of the Municipality shall (where any objection to this application was received) not come into operation before expiry of fifty-six (56) days calculated from the date of notification of the parties in writing envisaged in Clause 39.14 hereof.
- 39.16** The Applicant may note an appeal in terms of the provisions of the Act and Bylaw if the application is refused by the Municipality.
- 39.17** Any consent granted in terms of Clause 39.14 shall be for a maximum period of three years, from date of approval and be subject to specific conditions of approval, with

the proviso that the Municipality may extend this period, subject to the provisions of Clause 39.18.

39.18 Every applicant shall, after approval by the Municipality, of an application envisaged in this clause, be obliged to, on an annual basis, in the month, during which the applicant was notified of such an approval as envisaged in Clause 39.14, to the satisfaction of the Municipality, submit an affidavit in confirmation of inter alia the fact that the conditions pertaining to such approval and use, are fully complied with.

39.19 Any consent that the Municipality granted in terms of Clause 39.2 lapses under the following conditions:

- (a) If any right to which the consent applies are not exercised within a period of 24 months from the date of such consent;
- (b) If such rights have been exercised and such rights are discontinued for a period of 18 consecutive months;
- (c) With the proviso that the Municipality may extend the periods in Clause 39.19(a) and 39.19(b) at its discretion;
- (d) If a building for which such consent has been granted, is demolished, falls into disuse or becomes unsuitable for the purpose for which such consent was given; and
- (e) If a condition that applies to any consent is not met, or if any act is contrary to such consent, provided that the Municipality has given 30 days written notice to the owner and the owner after lapse of such period, still does not comply with the notice.

39.20 Granting of special consent for a noxious industry shall be considered: Provided that there is proof of compliance with the National Environmental Management Act, 1998 (Act No. 107 of 1998) and a certificate be issued by the Medical Officer of Health of the Municipality certifying that the process proposed to be used in connection with any of the industries or factories listed in Schedule 5 of this Scheme, will effectively eliminate any nuisance or health hazard in the vicinity of the property due to:

- (a) Vapours, smoke or odours;
- (b) Fluids or effluent originating on the property; and in the event of it being proposed to dispose of such materials by land treatment, the nature, slope and surface of the land concerned, as well as its location in relation to streams or water courses shall be disclosed; and
- (c) Solid waste matter.

40. Written Consent of the Municipality

40.1 Any owner of a property situated within the area of the Scheme (hereinafter referred to as "the Applicant") intending to apply to the Municipality for Written Consent to:

- 40.1.1 122 Erect and use a building or to use land in any Use Zone, for any purpose which requires the Written Consent of the Municipality (contemplated in Table "B" Column 5);
- 40.1.2 Erect an additional (second) dwelling unit or increase the density in respect of, or number of dwelling units on, an erf (Table "B" Column 5);
- 40.1.3 Relax the Floor Area Ratio (Table "B", Column 9) ;
- 40.1.4 Relax the Coverage on a property (Table "B" Column 8);
- 40.1.5 Relax a Building Line (Clause 19.7);
- 40.1.6 Amend a Site Development Plan (Clause 24.2 and 24.2.1);
- 40.1.7 Amend a Line of No Access (Clause 19.2);
- 40.1.8 Display signs for the sale or lease of properties (Clause 19.9);
- 40.1.9 Subdivide erven zoned "Residential 2" and "Residential 3" (Clause 19.21);
- 40.1.10 Amend conditions associated with Public Garages and Filling stations (Clause 26);
- 40.1.11 Amend conditions applicable to subdivided erven and panhandle erven (Clause 19.29);
- 40.1.12 Permit a larger number of persons to occupy a dwelling unit (Clause 19.21.4);
- 40.1.13 Permit rental of parking spaces and access control systems (Table C);
- 40.1.14 Relax the parking requirement applicable to a development; and
- 40.1.15 Relax the height of buildings subject to conditions.

Shall submit such application to the Municipality in writing, in the prescribed manner.

40.2 An application shall include a report to the Municipality, containing full particulars on the criteria referred to in Section 51 of the By-law of the proposed uses, as well as:

- (a) The name and address of the applicant;
- (b) The description, address and the locality of the subject property;
- (c) Existing zoning of the property; and
- (d) A complete description of the proposed use of the land and/or building.

40.3 No Written Consent shall be granted in terms of this clause until the Applicant has, to the satisfaction of the Municipality, obtained the written comments of the surrounding owners, as envisaged in Clause 40.4.

40.4 The applicant shall procure a form, as prescribed by the Municipality for the consent referred to in Clause 40.1 to be completed by every owner of land or his duly authorised agent, who owns property situated:

- (a) In a "Residential" township or Rural Residential area, within a radius of 50m or such other distance as determined by the Municipality from the closest point of the property in respect of which an application is made; and
- (b) In the "Agricultural" use zone, that shares a common boundary or boundary point with the application property or such other owners of land in the surrounding area as determined by the Municipality.

- (c) Supply full particulars and a description of the nature and extent of the intended use; relaxation required; the property description; the owner; and record therein that none of the persons referred to in sub-clause 40.4(a) and 40.4(b), notwithstanding their being aware of their right to object or to make representations against the application, has any objection thereto and such form shall be signed by, and disclose the name, street address and telephone number of, every person mentioned in sub-clause 40.4(a) and 40.4(b); and
- (d) In the case of an application lodged in the "Residential 1" (Rural Residential) Use Zone, the surrounding owners as referred to in sub-clause 40.4(a) and 40.4(b) may submit the relevant form directly to the applicant, and not to the Municipality, within 14 days from the date of being provided with such form. It is the duty of the applicant have the neighbours consent form signed.

40.5 The Municipality shall consider any objection received and hear any representation made at a hearing arranged by the Municipality within a reasonable time period for which purpose the provisions of Clauses 40.12, 40.13, 40.14, 40.15 and 40.16 shall apply *mutatis mutandis*.

40.6 Any consent granted in terms of Clause 40.1 shall be for a maximum period of three years where relevant, from date of approval and be subject to specific conditions of approval, with the proviso that the Municipality may extend this period, subject to the provisions of Clause 40.7.

40.7 Every applicant shall, after approval by the Municipality, of an application envisaged in this clause, be obliged to, on an annual basis, in the month, during which the applicant was notified of such an approval as envisaged in relevant clause, to the satisfaction of the Municipality, submit an affidavit in confirmation of *inter alia*, the fact that the conditions pertaining to such approval and use, are fully complied with, where relevant.

40.8 Any consent that the Municipality granted in terms of Clause 40 lapses under the following conditions:

- (a) If any right to which the consent applies is not exercised within a period of 24 months from the date of such consent;
- (b) If such rights have been exercised and such rights are discontinued for a period of 18 consecutive months; with the proviso that the Municipality may extend the periods in Clause 40.8(a) and 40.8(b) at its discretion;
- (c) If a building for which such consent has been granted, is demolished, falls into disuse or becomes unsuitable for the purpose for which such consent was given;
- (d) If a condition that applies to any consent is not met, or if any act is contrary to such consent, provided that the Municipality has given 30 days written notice to the owner and the owner after lapse of such period, still does not comply with the notice.

41. Temporary Consent of the Municipality

41.1 Notwithstanding any other provision of this Scheme, the Municipality may, upon receipt of a written request, give its consent for the temporary use of any land or building within any use zone, for any of the following purposes:

- (a) The erection and use of temporary buildings, or the use of existing buildings for site offices, storage rooms, workshops or such other uses as may be necessary during the erection of any permanent building or structure on the land; provided that such consent shall lapse upon completion of the permanent structure, or on the expiry date thereof as determined by the Municipality;
- (b) The occasional use of land or buildings for public religious exercises, place of instruction, institution, place of amusement or social hall;
- (c) The use of land or buildings thereon for state or municipal purposes;
- (d) The use of land or the erection of buildings necessary for the purpose of informal retail trade; and
- (e) The use of land or buildings, on a rural residential site in Use Zone 18 only, for the small-scale manufacturing of cement bricks for use by the owner of such rural settlement site or the selling of such bricks to owners of sites within the same rural settlement. The provisions of Clauses 39.2 - 39.5 shall apply mutatis mutandis.

41.2 Any temporary consent granted in terms of this clause shall not be granted for any period in excess of 12 months, which period may, however, be extended by the Municipality for further periods of 12 months, subject to a maximum period of 3 years in aggregate in cases falling within the ambit of Clauses 40.1, 40.2 and 40.3.

42. Consent for the practice of a Household Enterprise and Service Enterprise/Retail

42.1 In addition to any conditions imposed by the Municipality in the granting of a special or written consent, the exercise of a household enterprise, from a dwelling unit, shall be subject to the following:

- (a) No title condition applicable to the property may be transgressed;
- (b) The applicant may practice his occupation in any trade form subject thereto that he/she is personally in charge of the enterprise and holds the majority interest in the business;
- (c) The residential character and function of the dwelling unit must be maintained, and not more than 20% of the floor area of the dwelling unit, outbuildings excluded, or a maximum floor area of 75m², may be used for such practice;
- (d) Should more than the prescribed number of persons be accommodated on the premises where the household enterprise is conducted or, if more than 20% of the dwelling unit, outbuildings excluded or more than the maximum floor area of 75m², is to be used for the household enterprise, the special consent of the Municipality must be obtained in terms of Clause 40;

- (e) For the purposes of this clause, an agent or representative of the applicant will be considered an employee of such Applicant;
- (f) Parking is to be provided to the satisfaction of the Municipality in accordance with Table 1 and, Table "C" Column 12;
- (g) No goods may be displayed in public, in a window, or in any other manner;
- (h) No notice or sign except such notice or sign as is normally displayed at the dwelling unit, to reflect the name of the applicant and the nature of the household enterprise, may be displayed provided that the size of such notice shall not exceed 600mm by 450mm; and
- (i) The amenity of the area may not be prejudiced.

43. Consent for specific purposes

43.1 Without prejudice to any powers of the Municipality derived from any law, or the remainder of this Scheme, nothing in the foregoing provisions of this Scheme shall be construed as prohibiting or restricting the following:

- (a) The exploitation of minerals on any land not included in a proclaimed township;
- (b) The letting of a dwelling unit for occupancy of only one family; and
- (c) The letting of not more than two rooms of a dwelling unit.

44. Conversion rights

44.1 "Mining and Quarrying"

44.1.1 Where land is already zoned as "Mining and Quarrying", the mining rights holder shall consequent upon complying with any relevant requirements prescribed in terms of mining and environmental legislation such as the Environmental Conservation Act, 1989 (Act No. 73 of 1989) with its amendments and the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002); such rights holder shall have the right to convert the use to "Mining and Quarrying".

44.1.2 The mining company must provide the Municipality with:

- (a) Written notification; and
- (b) Maps indicating the area of which the status has changed as indicated above.

44.1.3 Upon delivery of the documentation referred to in Clause 44.1.2, "Mining and Quarrying Purposes" rights shall commence forthwith.

44.2 "Protected Areas"

44.2.1 Where an owner of land declared the land or a portion of the land as a "Protected Area" in terms of any relevant national or provincial environmental legislation, such owner shall have the right to convert the zoning to "Protected Areas".

44.2.2 The owner must provide the Municipality with:

- (a) A copy of the notice of declaration of land as a protected area; and
- (b) Maps indicating the area of which the status has changed as indicated above.

44.2.3 Upon delivery of the documentation in Clause 44.2.2, "Protected Areas" rights shall commence forthwith.

45. Register of Special and Written Consent Approvals and Relevant Conditions

45.1 The Municipality shall keep a complete register of amendments, special and written consents approved by it in terms of this Land Use Scheme, or granted through the verdict of appeals, as well as conditions imposed in such approvals. Such register together with the Land Use Scheme will be available for inspection at any reasonable time to any interested person or body.

46. Binding Force of Conditions

- 46.1** Where authorisation to erect a building, or to execute any works, or to use any buildings or land for a particular purpose is granted in terms of this Scheme subject to conditions, such conditions shall have the same legal force as if incorporated herein and shall be deemed to be so incorporated.

47. Entry upon and Inspection of Properties

- 47.1** The Municipality may, through its authorised officials, enter upon any property at all reasonable times to conduct any inspection which the Municipality or its representative may consider necessary for the application of the provisions of this Scheme.
- 47.2** No person shall in any manner hinder, obstruct or interfere with the execution of any duties by any authorised official of the Municipality, or in so far as it may fall within his power, permit such official to be hindered, obstructed or interfered with.
- 47.3** The Municipality shall, in investigating any matter contemplated in Clause 48:
- (a) Designate a municipal official or appoint any other person as an inspector to investigate any non-compliance with its Land Use Scheme; and
 - (b) Issue each inspector with a written designation or appointment in the prescribed form, stating that the person has been appointed for such purpose.
- 47.4** When an inspector contemplated in Clause 47.3 performs any such function, the inspector
- (a) Shall on request produce his or her written designation or appointment; and
 - (b) Shall not be a person having a direct or indirect personal or private interest in the matter to be investigated.
- 47.5** An inspector contemplated in Clause 47.3 may, subject to the sub-clauses below may:
- (a) Enter any property at any reasonable time without previous notice for the purpose of ascertaining an issue required to ensure compliance with this Scheme;
 - (b) Question any person who is, or was, on such property, either alone or in the presence of any other person, on any matter to which this Scheme relates;
 - (c) Require from any person who has control over or custody of a book, record or other document on such property, to produce to the inspector forthwith, or at such time and place as may be determined by the inspector, such book, record or other document;

- (d) Examine any such book, record or other document or make a copy thereof or an extract therefrom;
- (e) Require from such a person an explanation of any entry in such book, record or other document;
- (f) Seize any book, record or other document or any article, substance, plant or machinery or a part or sample thereof, which in his or her opinion may serve as evidence at any hearing or trial of any person charged with an offence in terms of this Scheme or Common Law: Provided that the user of the article, substance, plant or machinery concerned, as the case may be, may make copies of such book, record or document before such seizure; and
- (g) Direct any person to appear before him or her at such time and place as may be determined by the inspector and question such person either alone or in the presence of any other person on any matter to which this Scheme relates.

47.6 When an inspector enters any property in terms of Clause 47.5, a person who controls or manages the property must at all times provide such facilities as are reasonably required by the inspector to enable him or her to perform his or her functions effectively and safely in terms of this Scheme.

47.7 When an inspector removes or seizes any article, substance, plant, machinery, book, record or other document, he or she must issue a receipt to the owner or person in control thereof and return it as soon as practicable after achieving the purpose for which it was removed or seized.

47.8 An inspector may, where necessary, be accompanied by a police official or any other person reasonably required to assist him or her in conducting the inspection.

47.9 An inspector may issue a compliance notice in the prescribed form to the person who controls or manages the property or the owner or person in control of a private dwelling if a provision of this Scheme has not been complied with.

47.10 If the Municipality is not satisfied that compliance is taking place it shall:

- (a) Send a first notice to such a person informing the person of non-compliance, giving them 14 days or such an extended period as may be required to ensure compliance; and
- (b) In the event of failure to comply with the stipulations of clause 47.10(a) the Municipality shall issue a second notice to such person giving them a further 14 days to ensure compliance.

47.11 A compliance notice remains in force until the relevant provision of the Scheme has been complied with and the inspector has issued a compliance certificate in respect of that notice.

47.12 An inspector who enters and searches any land or private dwelling under this clause, must conduct such search or seizure with strict regard for decency and order, and with regard for each person's right to dignity, freedom, security and privacy.

48. Contravention and Enforcement of the Scheme

48.1 Any person who commits or knowingly permits a contravention of any of the provisions of this Scheme, or of the requirements of any order or notice issued or conditions imposed in terms of this Scheme, shall be deemed to be guilty of an offence.

48.2 Any person who contravenes, or deliberately allows the contravention of any situation 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 punishable under the Act.

48.3 The Municipality may on its own accord or must on request of any member of the public, investigate any alleged contravention of the Scheme, land use on land and/or an erf and/or within a building, and for this purpose may inspect the land, erf and/or building implicated in the matter as set out in Clause 47 herein.

49. Serving of Notices

49.1 Any order, notice or other document to be served by the Municipality on any owner or occupier of a building or land situated within the area of the Scheme, shall be signed by the authorised official of the Municipality and shall be served in one of the following ways:

- (a) To the owner or occupier personally or to his/her authorised agent;
- (b) By registered post to the owner or occupier or his/her duly authorised agent at his/her last known address of residence, place of business or employment, or post office box number;
- (c) At the domicilium citandi et executandi of the person to be served; or
- (d) By fixing such order, notice or other document to a conspicuous part of the property if there is no such person on the premises at which service is to be effected.

49.2 Where any service is effected in accordance with the aforesaid provisions of this clause, such service shall be deemed to have been effected at the time when such order, notice or other document would normally have been delivered and, in providing such service, it shall be sufficient to prove that the order, notice or other document was properly addressed.

49.3 Any order, notice or other document required to be served to the owner or occupier of any property may be addressed to the "Owner" or "Occupant" without any further name or description.

50. Powers of the Municipality in the Event of Contravention of the Land Use Scheme

50.1 Where any person, in conflict with any provision of this Scheme –

- (a) Undertakes or proceeds with erection or alteration of or addition to a building or causes it to be undertaken or proceeded with;
- (b) Performs, undertakes or proceeds with any other works or causes it to be performed, undertaken or proceeded with; or
- (c) Uses any land or building or causes it to be used;

The Municipality shall direct such person in writing:

- i. To discontinue such erection, alteration, addition or other works or to discontinue such use or cause it to be discontinued; and
- ii. At such person's expense to:
 - a. Remove such building or other works or cause it to be removed; or
 - b. Cause such building or other works or such use to comply with the provisions of the Scheme.

50.2 If a person fails to comply with a directive issued in terms of the aforesaid sub-clauses, the Municipality may, irrespective of the fact that such a person has been criminally charged or prosecuted, remove the building or other works at the expense of such a person, obtain a court order to remove the building or other works or cause the building or other works to comply with the provisions of this Scheme and to recover all expenditure incurred in connection therewith, from such person.

PART VIII - SCHEDULES

SCHEDULE 1: CONDITIONS GOVERNING THE ERECTION OF DWELLING-UNITS IN USE ZONE 15: RESIDENTIAL 2

1	Use Zone	RESIDENTIAL 2
2	Uses permitted	Dwelling-units.
3	Use with Special or Written Consent	Table A, Columns (2) and (3)
4	Uses not permitted	Table A, Column (4)
5	Definitions	Clause 18
6	Density	11-20 units/ha (minimum erf size 500m ²). Table B, Column (5)
7	Coverage	50%, Table B, Column (7)
8	Height	2 storeys: Provided that a second storey shall only be allowed if the Municipality is satisfied that such storey will not detrimentally affect the privacy of the adjoining property owners. Table B, Column (8)
9	Floor Area Ratio	0.5, Table B, Column (9)
10	Site development Plan and Landscape Development Plan	(a) A Site Development Plan and a Landscape Development Plan, unless otherwise determined by the Municipality, compiled by a person suitably qualified to the satisfaction of the Municipality, shall be submitted to the Municipality for approval prior to the submission of building plans. (b) The landscaping, in terms of the Landscape Development Plan, shall be completed by completion of the development or any phase thereof. The continued maintenance of the landscape development shall be to the satisfaction of the Municipality. (c) When the Site Development Plan is evaluated, special attention must be given to elements such as residential character, communal and private open space, exterior finishes and style in order to establish an appropriate character compatible and in harmony with the surrounding residential area. (d) An approved site development plan shall only be amended with the permission of the Municipality and building plans which do not comply with the proposals and conditions as set out in the approved site development plan, will not be approved by the Municipality.
11	Building Lines	To the satisfaction of the Municipality: Table 1
12	Parking requirements	Demarcated parking spaces, together with the necessary paved manoeuvring space, shall be provided on the erf in the following ratios to the satisfaction of the Municipality: 1 covered space per dwelling unit of 3 living rooms or less, 1 covered and 1 uncovered space per dwelling unit with 4 or more living rooms and 1 uncovered space per 3 dwelling units for visitors.
13	Paving areas	All parts of the erf upon which motor vehicles may move or park, shall be provided with a permanent dust-free surface, which surface shall be paved, drained and maintained to the satisfaction of the Municipality.

14	Access to the erf	(a) Entrances to and exits from the erf shall be sited, constructed and maintained to the satisfaction of the Municipality. (b) Any panhandle must be at least 3 m wide or as wide as the Municipality may determine.
15	Loading and off-loading facilities	1 space per 10 dwelling units.
16	Turning facilities	Not required.
17	Physical barriers	In accordance with the site development plan.
18	Health measures	(a) Any requirements for air pollution, noise abatement or health measures set by Municipality shall be complied with to the satisfaction of the Municipality without any costs to the Municipality. (b) Air-conditioning units or compressors shall not be mounted to the exterior walls of buildings without the prior permission of the Municipality.
19	Outdoor advertising	Advertisements and/or sign boards shall not be erected or displayed on the erf without the approval of the Municipality first being obtained in terms of municipal by-laws for outdoor advertising.
20	General: (a) Each dwelling-unit shall have direct access to its own private adjoining outdoor living area to the satisfaction of the Municipality. (b) That portion of the erf between the building(s) and the street boundary which is not used for traffic purposes, shall, within six months from the date on which the erf is first used for the permitted purposes, be laid out and maintained as a garden at the owner's cost and to the satisfaction of the Municipality. Should the owner fail to comply herewith, the Municipality is entitled to execute the work at the owner's cost. (c) The 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 elevation and architectural treatment of the proposed building or structure. (d) Subject to the provision of the relevant legislation but notwithstanding any other provision contained herein, the Municipality may grant permission to the subdivision of the erf, where such subdivision corresponds with the subdivision proposals shown on the approved site development plan applicable to the erf. (e) No individual dwelling-unit which is linked to another dwelling-unit and/or ancillary outbuilding shall be occupied before the relevant building of which the dwelling-unit forms part, is completely developed. Provided that the Municipality may, in exceptional cases, grant permission thereto. (f) No dwelling-unit may be sold before the whole development or the phase on the property is completed. (g) In addition to the above conditions the erf and buildings thereon are further subject to the general provisions of the Scheme in operation.	
21	Formula for calculation of permitted number of units	$\frac{\text{Extent of site in m}^2}{10\,000\text{m}^2} \times \frac{\text{Permitted Density}}{1}$

**SCHEDULE 2 CONDITIONS GOVERNING THE ERECTION OF DWELLING-UNITS IN
USE ZONE 16: RESIDENTIAL 3**

1	Use Zone	RESIDENTIAL 3
2	Uses permitted	Table A, Column (1)
3	Use with Special and Written consent	Table A, Columns (3) and (2)
4	Uses not permitted	Table A, Column (4)
5	Definitions	Clause 18
6	Density	Table B, Column (5)
7	Coverage	60%, Table B, Column (7)
8	Height	3 storeys: Provided that a third storey shall only be allowed if the Municipality is satisfied that such storey will not detrimentally affect the privacy of the adjoining property owners.
9	Floor area ratio	1.2, Table B, Column (9)
10	Site Development Plan and Landscape Development Plan	(a) A site development plan and a landscape development plan, unless otherwise determined by the Municipality, compiled by a person suitably qualified to the satisfaction of the Municipality, shall be submitted to the Municipality for approval prior to the submission of building plans. (b) The landscaping, in terms of the landscape development plan, shall be completed by completion of the development or any phase thereof. The continued maintenance of the landscape development shall be to the satisfaction of the Municipality. (c) When the Site Development Plan is evaluated, special attention shall be given to elements such as residential character, communal and private open space, exterior finishes and style, in order to establish an appropriate character compatible and in harmony with the surrounding residential area. (d) An approved site development plan shall only be amended with the Permission of the Municipality and building plans which do not comply with the proposals and conditions as set out in the approved site development plan, will not be approved by the Municipality.
11	Building Lines	To the satisfaction of the Municipality, Table 1.
12	Parking requirements	Demarcated parking spaces, together with the necessary paved manoeuvring space, shall be provided on the erf in the following ratios to the satisfaction of the Municipality: 1 covered space per dwelling unit of 3 living rooms or less, 1 covered and 1 uncovered space per dwelling unit with 4 or more living rooms and 1 uncovered space per 3 dwelling units for visitors.
13	Paving areas	All parts of the erf upon which motor vehicles may move or park, shall be provided with a permanent dust-free surface, which surface shall be paved, drained and maintained to the satisfaction of the Municipality.
14	Access to the erf	(a) Entrances to and exits from the erf shall be sited, constructed and maintained to the satisfaction of the Municipality. (b) Any panhandle must be at least 3 m wide or as wide as the Municipality may determine.
15	Loading and off-loading facilities	The loading and off-loading of goods shall only take place within the boundaries of the erf. 1 space per 10 dwelling units.
16	Turning facilities	Not required.
17	Physical barriers	In accordance with the site development plan.

18	Health measures	(a) Any requirements for air pollution, noise abatement or health measures set by Municipality shall be complied with to the satisfaction of the Municipality without any costs to the Municipality.
		(b) Air-conditioning units or compressors shall not be mounted to the exterior walls of buildings without the prior permission of the Municipality.
19	Outdoor advertising	Advertisements and/or sign boards shall not be erected or displayed on the erf without the approval of the Municipality first being obtained in terms of municipal Bylaws for outdoor advertising.
20	General: (a) Each dwelling-unit shall have direct access to its own private adjoining outdoor living area to the satisfaction of the Municipality. (b) That portion of the erf between the building(s) and the street boundary which is not used for traffic purposes, shall, within six months from the date on which the erf is first used for the permitted purposes, be laid out and maintained as a garden at the owner's cost and to the satisfaction of the Municipality. Should the owner fail to comply herewith, the Municipality is entitled to execute the work at the owner's cost. (c) No individual dwelling-unit which is linked to another dwelling-unit and/or ancillary outbuilding, shall be occupied before the relevant building of which the dwelling-unit forms part, is completely developed: Provided that the Municipality may, in exceptional cases, grant permission thereto. (d) No dwelling-unit may be sold before the whole development or the phase on the property is completed. (e) The 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 elevation and architectural treatment of the proposed building or structure. (f) Subject to the provision of the relevant legislation but notwithstanding any other provision (g) contained herein, the Municipality may grant permission to the subdivision of the erf, where such subdivision corresponds with the subdivision proposals shown on the approved site development plan applicable to the erf. (h) In addition to the above conditions the erf and buildings thereon are further subject to the general provisions of the Scheme in operation.	

SCHEDULE 3: METHOD OF CALCULATING GROSS FLOOR AREA

3.1 CONDITIONS GOVERNING THE CALCULATION OF GROSS FLOOR AREA OF A BUILDING:

3.1.1 Gross Floor Area = (TFA - D) (1 - X) where:

"TFA" means the total floor area of a building, including, but not limited to, the floor area of mezzanine floors, and the floor area of basements, internal passages, the area covered by a roof over fuel pumps at a filling station or public garage, external passages and balconies as illustrated by the accompanying Diagrams 5, 6 and 7.

3.1.2 "D" means the sum of:

- (a) The total area of a building used solely as a Parking Garage;
- (b) The total area of any floor in any other building used for the parking and circulation of motor vehicles;
- (c) 75% of the total area of any arcade, hall or atrium in a building: Provided that such area complies with all the requirements relating to health and safety, to the satisfaction of the Municipality; or 100% of the total area of any arcade, hall or atrium in a shopping centre building: Provided that such area is used exclusively as a pedestrian way; and
- (d) The total floor area of a building used exclusively as a children's recreation area).

3.1.3 "X" represents 5% or such other percentage which shall be certified by a Quantity Surveyor or an Architect: Provided that such percentage -

- (a) Is truly and accurately calculated as contemplated by paragraph (2) of this Schedule; and
- (b) Is acceptable to the Municipality.

3.1.4 Only the following areas of a building may be measured and expressed as a percentage for the purposes as contemplated in paragraph 1(3) hereof:

- (a) Ducts;
- (b) Stairs, stairwells, stair-landings and external passages;
- (c) Lift shafts and lift motor-rooms;
- (d) External and internal walls and their finishing;
- (e) Fire escapes;
- (f) Areas used for mechanical, electrical, cleaning and maintenance equipment;
- (g) Projections and architectural features only if they form part of the calculations as per paragraph (1) hereof;
- (h) Refuse rooms;
- (i) Municipal Electricity Substations; and
- (j) Such other areas as may be approved by the Municipality.

SCHEDULE 4: LIST OF NOXIOUS INDUSTRIES

- 4.1 The use of buildings or land for any of the following purposes:
- (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 and/or storing, stockpiling or hoarding or burnt charcoal, charcoal products and/or charcoal residue;
 - (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.
- 4.2 The use of buildings or land for the production of or the employment in any process of:
- (a) Carbon bisulphide, cellulose lacquers, hot pitch or bitumen, pyridine, or pulverised fuel (except when used for a spray-painting trade);
 - (b) Cyanogen or its compounds;
 - (c) Liquid or gaseous sulphur dioxide; and
 - (d) Sulphur chlorides or calcium carbide.
- 4.3 The use of buildings or land for the production of:
- (a) Amyl acetate, aromatic esters, butyric acid, caramel, enamelled wire, hexamine, iodoform, Naphthol, 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, calendaring, moulding, shaping or extrusion);
 - (b) Paint or varnish manufacture (excluding mixing, milling and grinding);
 - (c) Rubber from scrap; and
 - (d) Ultra marine, zinc chloride and oxide.
- 4.4 For the purpose of:
- (a) An abattoir, animal bristle sterilizing and storing, and animal charcoal manufacture;
 - (b) 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;
 - (c) Candle-making, catgut manufacture, boiling of chitterlings of pigs or other animals which are not subsidiary to a retail business or trade;
 - (d) 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);
 - (e) 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;
 - (f) Glue-making, gut-cleaning or -scraping;

- (g) A knacker's yard;
- (h) Leather-dressing;
- (i) 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;
- (j) Parchment-making, a paper mill;
- (k) Size-making, skin-drying, -storing and -curing, soap-boiling, a slaughter-house, a sugar-mill or -refinery;
- (l) Tallow-melting or -refining, tanning, tripe-boiling or -cleaning;
- (m) Wool-scouring, wattle-bark grinding or extracting;
- (n) Yeast-making; and
- (o) Taxidermy.

SCHEDULE 5: FILING OF COMPLAINT BY MEMBER OF PUBLIC (ALLEGED CONTRAVENTION OF THE SCHEME)

I _____ the undersigned
(Full Names/Surname)

Of _____
_____(address of complainant)

Contact telephone number: _____

Contact e-mail address: _____

Hereby file the following complaint with regard to an alleged contravention of the provisions of the Thulamela Land Use Scheme:

Property on which the alleged contravention occurs:

Erf/Portion/Holding Number: _____

Township/Farm: _____

Street Address: _____

(if possible, enclose a map indicating the situational context of the relevant property)

Description of alleged contravention: _____

(Describe in simplified terms. If space is inadequate, please attach details on a separate sheet)

When did the complainant become aware of the alleged contravention?

Date: _____

Can the complainant provide any photographic evidence of the alleged contravention?
(YES/NO) (Cross out where applicable). This is not a requirement but may assist the Municipality in assessing the facts of the complaint.

The complaint sheet must be signed and delivered to the following address:

Thulamela Local Municipality
Private Bag X5066
Thohoyandou
0950

SCHEDULE 6: THULAMELA LOCAL MUNICIPALITY THOHOYANDOU

DIRECTORATE:

FOR ENQUIRIES CONTACT:

DECLARATION BY AFFECTED PARTY(IES) / PROPERTY OWNER

Dear Sir/Madam

This letter serves to notify potentially affected parties of the application set out hereunder:

APPLICATION DETAILS			
ERF / FARM NO.		AREA	
APPLICANT		CONTACT NO	
APPLICATION TYPE		Building line departure	Other Departures
		Consent Use	Other (specify)
DETAILED DESCRIPTION OF APPLICATION			

DECLARATION BY AFFECTED PARTY

I/We the registered owner(s) of the undermentioned premises, having been shown the proposal in respect of the above mentioned application confirm that I/we understand the proposal as set out above and confirm that (please tick below):

I/We have no objection		I/We object for the reasons listed hereunder	

Signature of affected Party:
Property owner:
Full Name:
Erf/farm no. of Affected Property:
Street address of Affected Property:
Contact no: